



MEMORANDUM IN OPPOSITION

FOR IMMEDIATE RELEASE: JANUARY 17, 2017

Re: A.1378 (Cahill) – AN ACT to amend the insurance law, the social services law, in relation to requiring health insurance policies to include coverage of all FDA-approved contraceptive drugs, devices, and products, as well as voluntary sterilization procedures, contraceptive education and counseling, and related follow up services and prohibiting a health insurance policy from imposing any cost-sharing requirements or other restrictions or delays with respect to this coverage.

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This legislation, A.1378, mandates that health insurance policies in New York cover **all** Food and Drug Administration (FDA) approved contraceptive drugs, devices and products, as well as voluntary sterilization procedures, contraceptive education and counseling, and related follow up services, while prohibiting a health insurance policy from imposing any cost-sharing requirements or other restrictions or delays with respect to this coverage. The New York Health Plan Association (HPA) opposes this legislation because it is inconsistent with federal contraceptive coverage policy under the Affordable Care Act (ACA) and would create a new costly health insurance mandate, which makes health insurance less affordable for individuals, families and small businesses.

Health plans in New York already provide contraceptive coverage including management of side effects, counseling for continued adherence; and device removal — all without cost-sharing. The bill as drafted goes **beyond** the ACA's essential health benefits requirements. The legislation creates new mandated contraceptive coverage that would include: (a) emergency contraception when prescribed through a prescription or a non-patient specific order; (b) a year's worth of contraception; and (c) voluntary sterilization procedures for men and women. These benefits are not currently required under the ACA.

Creating this new level of benefits will also add costs for the state itself. As part of the ACA, any state health insurance mandate imposed after January 1, 2012, for purposes of the "essential health benefit package" will require the state to pick up the costs associated with the new mandate for those receiving Medicaid or insurance through the health insurance exchange.

As many New Yorkers continue to struggle to afford the health insurance coverage they have, and with the state continuing its efforts expand access to coverage to more New Yorkers, this bill is ill advised. We urge you to say no to A.1378 and to seek solutions that will make insurance more affordable and available to more New Yorkers.

The New York Health Plan Association represents 29 managed care health plans that provide comprehensive health care services to nearly 8 million New Yorkers.