



Legislation Text

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Res. No. 1405

Resolution calling on the State Senate to pass and the Governor to sign the Comprehensive Contraception Coverage Act (A.1378/S.3668)

By The Speaker (Council Member Mark-Viverito) and Council Member Levin

Whereas, Access to contraception plays a critical role in the economic, social, and educational advancement of women by empowering them to plan for their futures and invest in their careers; and

Whereas, Studies show that access to contraception reduces rates of unintended pregnancy and improves women's overall health and well-being; and

Whereas, Under the Patient Protection and Affordable Care Act (ACA), all new insurance plans obtained through health insurance exchanges must fully cover all FDA-approved contraceptive methods without any co-payments or other out-of-pocket costs; and

Whereas, President Donald Trump and members of the United States Congress have vowed to repeal much of the ACA, which could eliminate guaranteed contraception coverage; and

Whereas, On January 21 of this year, Governor Andrew Cuomo announced that the New York State Department of Financial Services (DFS) promulgated new regulations requiring health insurers to provide coverage for all contraceptive medication and devices; and

Whereas, DFS would also be required to cover at least one form of contraception in each of the FDA-approved contraceptive delivery methods without copays, coinsurance, or deductibles, regardless of the future of the Affordable Care Act; and

Whereas, These new regulations only include coverage for women and do not apply to grandfathered plans (i.e. plans that were created before March 23, 2010); and

Whereas, Assemblymember Kevin A. Cahill and Senator John J. Bonacic have introduced the Comprehensive Contraception Coverage Act (A.1378/S.3668), which would require commercial group health insurance policies to cover all FDA-approved contraceptive drugs, devices and products without copays or deductibles when prescribed by a health care provider; and

Whereas, This legislation would also prohibit a health insurer from imposing any cost-sharing requirements or other restrictions or delays with respect to this coverage; and

Whereas, Contrary to the new state regulations, the Comprehensive Contraception Coverage Act does not exempt insurance plans based on the date it was created, thereby expanding coverage and eliminating the confusion of grandfathered plans; and

Whereas, Although the Comprehensive Contraception Coverage Act provides many of the same protections as the new DFS regulations, this bill includes contraception coverage regardless of gender; and

Whereas, The Comprehensive Contraception Coverage Act also covers men's contraceptive methods including voluntary sterilization procedures, but allows for future FDA-approved contraceptive methods; and

Whereas, The Comprehensive Contraception Coverage Act would ensure broad contraceptive coverage and timely access to all federal FDA-approved methods of contraception for all individuals covered under health insurance plans in New York regardless of any actions taken by the federal government that may jeopardize this coverage; and

Whereas, The Comprehensive Contraception Coverage Act has passed the New York State Assembly but has not been brought to a vote in the Senate; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Senate to pass and the Governor to sign the Comprehensive Contraception Coverage Act (A.1378/S.3668).