



NARAL
Pro-Choice America Foundation

SENATE PUBLIC HEALTH, WELFARE & SAFETY

Ex 3

EXHIBIT NO. 3

DATE: Jan. 24, 2005

BILL NO. SB 203

**INSURANCE COVERAGE FOR CONTRACEPTION:
STATE LAWS AND REGULATIONS**

Twenty-one states¹ (shaded) have passed comprehensive laws or regulations requiring health insurance plans that cover prescription drugs to provide equitable coverage for contraceptives.

State	Coverage Required	Coverage Not Required
Alabama		X
Alaska		X
Arizona	X	
Arkansas		X
California	X	
Colorado		X
Connecticut	X	
Delaware	X	
District of Columbia		X
Florida		X
Georgia	X	
Hawaii	X	
Idaho		X
Illinois	X	
Indiana		X
Iowa	X	
Kansas		X
Kentucky		X
Louisiana		X
Maine	X	
Maryland	X	
Massachusetts	X	
Michigan		X
Minnesota		X
Mississippi		X
Missouri	X	

State	Coverage Required	Coverage Not Required
Montana		X
Nebraska		X
Nevada	X	
New Hampshire	X	
New Jersey		X
New Mexico	X	
New York	X	
North Carolina	X	
North Dakota		X
Ohio		X
Oklahoma		X
Oregon		X
Pennsylvania		X
Rhode Island	X	
South Carolina		X
South Dakota		X
Tennessee		X
Texas		X ¹
Utah		X
Vermont	X	
Virginia		X ²
Washington	X	
West Virginia		X
Wisconsin	X ³	
Wyoming		X
TOTAL	21	30

Notes:

1. Although Texas enacted a contraceptive equity law in 2001, the state enacted a law in 2003 allowing insurers to issue plans that do not include state-mandated health benefits, including coverage for contraception. Thus, Texas now allows insurers to offer, and employers to select, plans without coverage of contraceptive services and supplies. TEX. INS. CODE ANN. Art. 3.80. As a result, Texas is no longer included in the list of states requiring contraceptive equity.
2. This statute requires insurers to offer coverage as an employer option, but does not mandate coverage.
3. Although Wisconsin has not enacted an explicit law guaranteeing equitable coverage for contraception, a state agency, the Equal Rights Division, has ruled that an employer's failure to cover contraceptives constitutes sex discrimination in violation of the state's Fair Labor Employment Act. As a result, Wisconsin is included in the list of states requiring contraceptive equity. *Anderson v. Green Bay*, No. CR200300616 (Wis. Dep't Workforce Dev., Aug. 23, 2004).