

SB 1053 - The Contraceptive Coverage Equity Act of 2014 (Mitchell)

Overview

Beginning January 1, 2016, health plans must provide access to the full range of contraceptive methods approved by the Food and Drug Administration (FDA) for all insured individuals in California without cost-sharing, delays or denial of coverage. The Contraceptive Coverage Equity Act (SB 1053), proudly sponsored by Essential Access Health (formerly California Family Health Council) and National Health Law Program, was introduced by Senator Holly Mitchell and signed into California law by Governor Brown in 2014. The legislation builds on state and federal law to further California's leadership in preventing unintended pregnancy and expanding access to birth control for all.

Background

The Affordable Care Act (ACA) requires most health insurance carriers to cover the full range of birth control methods approved by the Food and Drug Administration (FDA) including sterilization services, without any out of pocket costs for women enrollees. While this requirement is a welcomed and significant step forward, lack of clarity in the federal law led to inadequate and inconsistent implementation. Federal regulations permit carriers to employ "reasonable medical management techniques" but do not define the term or provide clear guidance about when medical management in the context of contraceptive coverage is and is not permitted. This flexibility has led to reports of insurer practices and policies that create delays in access or deny coverage of certain methods altogether in spite of the broad coverage requirement.

According to prevailing medical standards of care, a woman's choice in consultation with her health care provider should be the primary factor in determining her contraceptive method. Medical management techniques that disfavor or create barriers to particular methods not only deprive women of their reproductive autonomy, but they also increase risk of unintended pregnancy and undermine the intent of the coverage requirement.

The Contraceptive Coverage Equity Act builds and improves upon the progress made at the federal level to ensure that all Californians with health insurance – through Covered California, private or employer based coverage or Medi-Cal Managed Care – have contraceptive coverage that is comprehensive, fair and consistent.

More Information

If you have any questions about SB 1053, would like to stay updated on SB 1053 implementation and/or receive training and education materials, please contact us at www.essentialaccess.org.