

March 4, 2009

**H 397. CONSCIENCE PROTECTION/CONTRACEPTIVE COVERAGE.** Filed 3/4/09. *TO PROVIDE EFFECTIVE CONSCIENCE PROTECTION IN THE INSURANCE LAW PERTAINING TO COVERAGE FOR PRESCRIPTION CONTRACEPTIVE DRUGS OR DEVICES AND FOR OUTPATIENT CONTRACEPTIVE SERVICES.*

Amends GS 58-3-178 as it pertains to an employer's right to offer a health insurance plan that does conflict with the employer's religious beliefs or moral convictions concerning contraceptives. Current law authorizes a religious employer to request that its health insurance provider offer a plan that does not include coverage for prescription contraceptive drugs or devices. This bill eliminates the subsection referencing religious employers and adds a new subsection that permits *any* employer or association to certify to its health plan provider that coverage for prescription contraceptive drugs or for outpatient contraceptive services is contrary to the religious beliefs or moral convictions of the employer, association, or employed individual. Upon receipt of such certification, the health insurance provider must provide a plan and charge appropriate premiums without the offending coverage. The fact that contraceptive coverage is not offered by the health insurance plan must be included in the plan's application and sales brochures. Amends the definition of *outpatient contraceptive services* to exclude medical services, drugs, or devices used in a manner to induce an abortion. Amends the definition of *prescribed contraceptive drugs or devices* to provide that those drugs or devices required to be covered do not include any that interfere with the development of an embryo after fertilization.

**Intro. by Hilton.**

GS 58