

115TH CONGRESS 1ST SESSION

S. 1045

To guarantee coverage of certain women's preventive services under all health plans.

IN THE SENATE OF THE UNITED STATES

May 4, 2017

Mrs. Murray (for herself, Mr. Blumenthal, Mr. Tester, Ms. Baldwin, Mr. Bennet, Mr. Booker, Mr. Brown, Ms. Cantwell, Mr. Cardin, Mr. Carper, Mr. Casey, Mr. Coons, Ms. Cortez Masto, Mr. Donnelly, Ms. Duckworth, Mr. Durbin, Mrs. Feinstein, Mr. Franken, Mrs. Gillibrand, Ms. Harris, Ms. Hassan, Mr. Heinrich, Ms. Heitkamp, Ms. Hirono, Mr. Kaine, Mr. King, Ms. Klobuchar, Mr. Leahy, Mr. Markey, Mrs. McCaskill, Mr. Menendez, Mr. Merkley, Mr. Murphy, Mr. Nelson, Mr. Peters, Mr. Reed, Mr. Sanders, Mr. Schatz, Mr. Schumer, Mrs. Shaheen, Ms. Stabenow, Mr. Udall, Mr. Van Hollen, Mr. Warner, Ms. Warren, Mr. Whitehouse, and Mr. Wyden) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To guarantee coverage of certain women's preventive services under all health plans.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Save Women's Preven-
- 5 tive Care Act".

1 SEC. 2. PURPOSE.

- 2 It is the purpose of this Act to guarantee coverage
- 3 of women's preventive services that have been covered by
- 4 group and individual health plans, in accordance with
- 5 amendments made by the Patient Protection and Afford-
- 6 able Care Act (Public Law 111–148) and consistent with
- 7 the clinical guidelines dated December 20, 2016, and de-
- 8 veloped at the direction of the Health Resources and Serv-
- 9 ice Administration by the National Academy of Medicine,
- 10 the American College of Obstetricians and Gynecologists,
- 11 and other medical experts (and additional sub-regulatory
- 12 guidance pertaining to such guidelines and published be-
- 13 fore January 1, 2017).

14 SEC. 3. SENSE OF THE SENATE.

- 15 It is the sense of the Senate that women should have
- 16 access to preventive services and benefits with no out-of-
- 17 pocket costs as provided under the Patient Protection and
- 18 Affordable Care Act (Public Law 114–148), limiting racial
- 19 disparities in health, and ensuring greater use of highly
- 20 effective care.

21 SEC. 4. PREVENTIVE CARE FOR WOMEN.

- 22 (a) In General.—Section 2713(a) of the Public
- 23 Health Service Act (42 U.S.C. 300gg-13(a)) is amend-
- 24 ed—
- 25 (1) in paragraph (2), by striking "; and" and
- 26 inserting a semicolon;

1	(2) in paragraph (3), by striking the period and
2	inserting a semicolon;
3	(3) by amending paragraph (4) to read as fol-
4	lows:
5	"(4) with respect to women, including adoles-
6	cents, to the extent not described in paragraph (1),
7	evidence-based preventive care and screenings, in-
8	cluding, at a minimum—
9	"(A) comprehensive lactation support serv-
10	ices (including counseling, education, and
11	breastfeeding equipment and supplies) during
12	the antenatal, perinatal, and postpartum peri-
13	ods, to ensure the successful initiation and
14	maintenance of breastfeeding;
15	"(B) screening adolescents and women for
16	interpersonal and domestic violence at least an-
17	nually, and, when needed, providing or referring
18	for initial intervention services, including coun-
19	seling, education, harm reduction strategies,
20	and other appropriate supportive services;
21	"(C) screening for gestational diabetes
22	mellitus;
23	"(D) screening for cervical cancer, and
24	where recommended, co-testing with cytology
25	and human papillomavirus testing;

1	"(E) directed behavioral counseling for
2	sexually transmitted infections;
3	"(F) prevention education, risk assess-
4	ment, and screening for human immuno-
5	deficiency virus infection, including screening
6	for pregnant women;
7	"(G) contraceptive care, including—
8	"(i) the full range of female-controlled
9	contraceptive methods approved by the
10	Food and Drug Administration, effective
11	family planning practices, and sterilization
12	procedures to prevent unintended preg-
13	nancy and improve birth outcomes;
14	"(ii) contraceptive counseling, initi-
15	ation of contraceptive use, and follow-up
16	care (such as management and evaluation,
17	and changes to, and removal or discontinu-
18	ation of, the contraceptive method); and
19	"(iii) instruction in fertility aware-
20	ness-based methods, including the lactation
21	amenorrhea method, for women desiring
22	an alternative method;
23	"(H) screening for breast cancer;
24	"(I) at least one well-woman preventive
25	care visit per year for adolescent and adult

1	women in order to deliver and coordinate rec-
2	ommended preventive services, including pre-
3	conception and many services necessary for pre-
4	natal and interconception care, in accordance
5	with recommendations based on age and risk
6	factors; and
7	"(J) any other baseline requirements pre-
8	scribed by the Health Resources and Service
9	Administration for women; and"; and
10	(4) by adding at the end the following: "Noth-
11	ing in this subsection prevents a State from requir-
12	ing health plans offered in such State to provide
13	more generous coverage than required under this
14	subsection.".
15	(b) Conditions.—Section 2713 of the Public Health
16	Service Act (42 U.S.C. 300gg-13), as amended by sub-
17	section (a), is further amended by adding at the end the
18	following:
19	"(d) Conditions.—Section 147.131 of title 45, Code
20	of Federal Regulations, as in effect on January 1, 2017,
21	shall apply with respect to the coverage requirements
22	under subsection (a)(4)(G).".