



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 2(ss) be amended to read as follows:

- 1 Page 34, between lines 13 and 14, begin a new paragraph and insert:
- 2 "SECTION 19. IC 25-26-25 IS ADDED TO THE INDIANA CODE
- 3 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2023]:
- 5 **Chapter 25. Hormonal Contraceptives**
- 6 **Sec. 1. The definitions in IC 25-26-13-2 apply throughout this**
- 7 **chapter.**
- 8 **Sec. 2. As used in this chapter, "health plan" means:**
- 9 (1) a policy of accident and sickness insurance (as defined in
- 10 IC 27-8-5-1); or
- 11 (2) an individual contract or a group contract with a health
- 12 maintenance organization under IC 27-13.
- 13 **Sec. 3. As used in this chapter, "self-administered hormonal**
- 14 **contraceptive" means a drug:**
- 15 (1) composed of a hormone or a combination of hormones
- 16 that is approved by the federal Food and Drug Administration
- 17 to prevent pregnancy; and
- 18 (2) that the patient to whom the drug is prescribed may
- 19 administer to oneself or be administered by a pharmacist.
- 20 **Sec. 4. A pharmacist may prescribe self-administered hormonal**
- 21 **contraceptives to a person, regardless of whether the person has**
- 22 **evidence of a previous prescription from a primary care**

1 practitioner or women's health care practitioner for hormonal
2 contraceptives.

3 Sec. 5. (a) The board shall adopt rules under IC 4-22-2 before
4 January 1, 2024, to establish:

5 (1) in consultation with the Indiana state department of
6 health;

7 (2) in consideration of guidelines established by the Centers
8 for Disease Control and Prevention; and

9 (3) with the consultation of the medical licensing board of
10 Indiana;

11 standard procedures for the prescribing of self-administered
12 hormonal contraceptives by pharmacists.

13 (b) The rules adopted under this section must require a
14 pharmacist to do the following:

15 (1) Complete a training program approved by the board that
16 is related to prescribing self-administered hormonal
17 contraceptives. The board may adopt a training program
18 developed by another state.

19 (2) Provide a self-screening risk assessment tool that the
20 patient must use prior to the pharmacist's prescribing the
21 self-administered hormonal contraceptive to assess for
22 medical contraindications, including high blood pressure.

23 (3) Refer the patient to the patient's primary care practitioner
24 or women's health care practitioner, if one exists, upon
25 prescribing and dispensing the self-administered hormonal
26 contraceptive.

27 (4) Provide the patient with a written record of the
28 self-administered hormonal contraceptive prescribed and
29 dispensed and advise the patient to consult with a primary
30 care practitioner or women's health care practitioner.

31 (5) Dispense the self-administered hormonal contraceptive to
32 the patient as soon as practicable after the prescribing
33 pharmacist issues the prescription. This subdivision applies to
34 the dispensing pharmacist only.

35 (6) Inform the patient of the risks and benefits of
36 self-administered hormonal contraception and that the use of
37 a self-administered hormonal contraceptive does not protect
38 the patient against sexually transmitted diseases.

39 (c) The state health commissioner may issue a standing order
40 that concerns standard procedures for the prescribing of
41 self-administered hormonal contraceptives by pharmacists and
42 that is effective until the board adopts rules under this section.

43 (d) All state and federal laws governing health insurance
44 coverage of contraceptive drugs, devices, products, and services
45 apply to self-administered hormonal contraceptives prescribed by
46 a pharmacist under this chapter.

47 Sec. 6. (a) A health plan must provide payment, coverage, or

- 1 reimbursement for:
- 2 (1) prescription contraceptives; and
- 3 (2) if covered for other drug benefits by the health plan,
- 4 outpatient consultations, including pharmacist consultations,
- 5 examinations, procedures, and medical services that are
- 6 necessary to prescribe, dispense, deliver, or distribute a
- 7 prescription contraceptive.
- 8 (b) The coverage required under subsection (a):
- 9 (1) may be subject to provisions of the health plan that apply
- 10 equally to other prescription drugs covered by the health
- 11 plan, including required copayments, deductibles, and
- 12 coinsurance; and
- 13 (2) must reimburse a health care provider or dispensing entity
- 14 for a dispensing of contraceptives intended to last for a twelve
- 15 (12) month period for subsequent dispensing of the same
- 16 contraceptive to the patient regardless of whether the insured
- 17 was enrolled in the program, plan, or policy at the time of the
- 18 first dispensing.
- 19 (c) A religious employer that is a nonprofit organization under
- 20 Section 6033(a)(3)(A)(i) or Section 6033(a)(3)(A)(iii) of the Internal
- 21 Revenue Code is exempt from the requirements of this section with
- 22 respect to a health plan it provides to its employees."
- 23 Renumber all SECTIONS consecutively.
- (Reference is to ESB 2(ss) as printed August 2, 2022.)

Representative Vermilion