

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”;

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).”.

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