



**CONTRACEPTIVE COVERAGE
IN WASHINGTON STATE'S
QUALIFIED HEALTH PLANS:**

A Progress Report

August 2017

EXECUTIVE SUMMARY

This report is an update to the April 2015 “Contraceptive Coverage in Washington State’s Qualified Health Plans: A “Secret Shopper” Survey and Review of Carrier Filings and Formularies” report¹ by Northwest Health Law Advocates (NoHLA) and NARAL Pro-Choice Washington. In spring 2015, NoHLA and NARAL conducted a study to determine the extent to which Washington State health insurance carriers were complying with the Affordable Care Act (ACA) requirement that carriers cover *all* FDA-approved contraceptive methods without cost-sharing for all women with reproductive capacity.² The study focused on the eight carriers that sold Qualified Health Plans (QHPs) on Washington Healthplanfinder (www.wahealthplanfinder.org) in 2014. Our initial study included three components: (1) a review of carriers’ filings with the Office of the Insurance Commissioner (OIC), (2) “secret shopper” calls to each carrier, and (3) a review of carrier formularies. The report found that while the carriers stated that all FDA-approved methods of contraception are covered and do not require cost-sharing, both their formularies and their customer service and sales representatives’ responses likely confused customers.

Since May 2015, NoHLA has encouraged each of the carriers to ensure that they were making progress on resolving the specific issues identified in the April 2015 report. On October 7, 2015 and May 9, 2017, we met again with Insurance Commissioner Kreidler and the carriers to discuss their progress related to the report’s recommendations.

The carriers have made much progress:

- Seven of the nine carriers now list medical methods in their formularies;
- Eight carriers have created comprehensive contraceptive coverage informational flyers for consumers;
- Four carriers now cover over-the-counter emergency contraception with no cost-sharing regardless of whether the member has a prescription; and
- Seven carriers have a specific contraceptive waiver or exemption process and one carrier has removed all medical management for contraceptives eliminating the need for a contraceptive waiver.

However, some significant issues remain:

- Representatives of all carriers except one are not uniformly providing accurate contraceptive coverage and cost-sharing information;
- One carrier does not include all medical methods of contraception in its formulary and others place certain methods on higher coverage tiers; and
- One carrier lacks a specific contraceptive waiver or exemption process and others have not publicized their waiver process.

In this follow-up report, we discuss the areas of improvement and remaining issues generally. We then provide carrier-specific information based on additional secret shopper calls and formulary reviews in April through July 2017. We also include results from Regence BlueShield, a carrier that newly joined the Washington State Qualified Health Plan (QHP) market in 2016 and was not in the original 2015 study.

¹ Available at <http://nohla.org/wordpress/wp-content/uploads/2016/07/NoHLA-NARAL-ContCovWAQHPs.pdf>.

² U.S. Dep’t of Health and Human Serv., Health Resources Serv Admin., Women’s Preventive Services Guidelines (July 2011), available at <http://www.hrsa.gov/womensguidelines/>. The list of methods is available on the FDA Birth Control Guide, available at <https://www.fda.gov/downloads/forconsumers/byaudience/forwomen/freepublications/ucm517406.pdf>.