

July 21, 2017

ASSEMBLY BILL NO. 2297

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 2297 with my recommendations for reconsideration.

This bill would require all health insurers that provide coverage for prescription drugs, as well as the State and School Health Benefits Plans, to cover twelve month prescriptions for female contraceptives.

Since the beginning of my Administration, I have strongly supported increasing access to women's health care. My administration has provided funding for vital health care services for women throughout New Jersey, most particularly Federally Qualified Health Clinics (FQHCs). We fund, now at a greater level than ever before, health care for women. I have signed legislation requiring insurance companies to cover breast exams and other testing, and I recently signed legislation expanding infertility coverage for all women in New Jersey.

While I support the bill's intention to increase access to medically-appropriate prescription drugs, including contraceptives, I am concerned that the bill would lead to unnecessary drug waste and could potentially limit patient choice in this area. Moreover, mandating twelve full months of coverage with no patient cost-sharing, regardless of where an individual is in their policy term, affords special treatment to one particular class of drugs and will unfairly shift the cost to policy holders in the form of unnecessary premium increases.

In order to strike a more appropriate balance between the desire for increased access and the overarching concern for prescription drug waste and cost as well as patient choice, I propose that carriers be required to provide six months of

coverage for contraceptives after the initial three month prescription. In addition, I recommend that a carrier may provide less than six months of coverage for a supply of prescription contraceptives if a six month supply would extend beyond the applicable plan year.

These common sense changes achieve the bill's goal of increasing access to contraceptives, but will not lead to premium increases for our citizens.

Accordingly, I herewith return Assembly Bill No. 2297 and recommend that it be amended as follows:

Page 2, Section 1, Line 27: Delete "twelve" and insert "six"

Page 2, Section 1, Line 29: After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 3, Section 2, Line 29: Delete "twelve" and insert "six"

Page 3, Section 2, Line 31: After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 4, Section 3, Line 27: Delete "twelve" and insert "six"

Page 4, Section 3, Line 29: After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 5, Section 4, Line 25: Delete "twelve" and insert "six"

Page 5, Section 4, Line 27: After "dispensing" insert ", except that an entity subject to this section may provide

coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 6, Section 5, Line 21:

Delete "twelve" and insert "six"

Page 6, Section 5, Line 23:

After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 7, Section 6, Line 18:

Delete "twelve" and insert "six"

Page 7, Section 6, Line 20:

After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 8, Section 7, Line 16:

Delete "twelve" and insert "six"

Page 8, Section 7, Line 18:

After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 9, Section 8, Line 11:

Delete "twelve" and insert "six"

Page 9, Section 8, Line 13:

After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Page 10, Section 9, Line 10:

Delete "twelve" and insert "six"

Page 10, Section 9, Line 12:

After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period,

if a six month period would extend beyond the term of the contract"

Page 11, Section 10, Line 9:

Delete "twelve" and insert "six"

Page 11, Section 10, Line 11:

After "dispensing" insert ", except that an entity subject to this section may provide coverage for a supply of contraceptives that is for less than a six month period, if a six month period would extend beyond the term of the contract"

Respectfully,

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ James J. DiGiulio

Chief Counsel to the Governor