

TRINIDAD NAVARRO  
COMMISSIONER



STATE OF DELAWARE  
DEPARTMENT OF INSURANCE

**DOMESTIC AND FOREIGN INSURERS BULLETIN NO. 112**

**TO: ALL HEALTH INSURANCE COMPANIES**

**RE: INSURANCE COVERAGE OF CONTRACEPTIVES**

**DATED: December 5, 2019**

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On July 11, 2018, Governor Carney signed into law, Senate Bill 151, an act to amend Title 18, Title 29, and Title 31 of the Delaware Code relating to insurance coverage of contraceptives.

The bill codifies the ACA's birth control benefit in state law by requiring insurance plans, including Medicaid, individual, group, and state employee health plans, to include coverage for contraceptives with no cost sharing to the insured individual. It requires coverage of all FDA-approved birth control methods for women, from emergency contraceptives to intrauterine devices (IUDs).

In addition, the bill expands upon the ACA in three ways:

1. Requires insurers to cover 12-months of birth control dispensed at one time.
2. Requires insurers to cover emergency contraceptives without a prescription.
3. Requires insurers to cover immediate postpartum insertion of long-acting reversible contraceptives (LARCs).

In the 15 months following enactment of SB 151, it is not clear that insurers and hospital systems have been providing the benefit and service referred to in number three above in an in-patient setting.

As part of Delaware's commitment to equitable contraceptive access for all patients, it is important that privately insured individuals have access to this service since Medicaid members have had this benefit since 2015.

Any/all correspondence with the Department, including questions regarding this bulletin, should be submitted electronically to [consumers@delaware.gov](mailto:consumers@delaware.gov). Additional questions may be directed to Kara Odom Walker, Cabinet Secretary, Delaware Department of Health and Social Services at [Kara.Walker@delaware.gov](mailto:Kara.Walker@delaware.gov).

This bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation or bulletin.

  
Trinidad Navarro  
Delaware Insurance Commissioner

*NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed.*

◆ [INSURANCE.DELAWARE.GOV](http://INSURANCE.DELAWARE.GOV) ◆  
1351 W. NORTH ST., SUITE 101, DOVER, DELAWARE 19904-2465  
(302) 674-7300 DOVER ◆ (302) 739-5280 GEORGETOWN ◆ (302) 577-5280 WILMINGTON