



*United States*  
*Office of Personnel Management*  
*Retirement and Insurance Service*

**Benefits Administration Letter**

Number: 98-418

Date: November 6, 1998

**Subject: Federal Employees Health Benefits (FEHB) Program: Expanded Coverage of Contraceptives for 1999**

On October 21, 1998, President Clinton signed into law H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Public Law 105-277). This law included a provision requiring, with the exception of five plans listed below, the coverage of contraceptives by all FEHB plans. We have therefore required all plans to cover the full range of contraceptive drugs and devices approved by the Food and Drug Administration. Because the law was signed after the 1999 brochures were printed, we are asking you to bring this to the attention of your employees as soon as possible during the current open season. A suggested notice to employees follows:

SUGGESTED NOTICE

**SUBJECT: Federal Employees Health Benefits (FEHB) Program: Expanded Coverage of Contraceptives for 1999**

A new law requires FEHB plans to provide contraceptive coverage. For 1999, the Office of Personnel Management will require all plans to cover the full range of contraceptive drugs and devices approved by the Food and Drug Administration. A few plans will be exempt from this requirement, and they are noted below. Because the law was signed on October 21, 1998, after the FEHB brochures for 1999 were printed, the FEHB brochures you will receive during the Open Season do not reflect these additional benefits. You should use this notice when you read the brochures, so that you will have an accurate understanding of the benefits offered by plans that you are considering.

Not all FEHB plans will be required to cover contraceptive services. The law specifically exempts five plans from providing contraceptive services on the basis that they have expressed religious beliefs against providing such coverage, and the law recognizes that additional plans may adopt similar positions. The five plans specifically exempted by the law are:

1. Providence Health Plan (previously called SelectCare); code SD, serving

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*Federal Employees  
Group Life  
Insurance*

*Federal Employees  
Health Benefits  
Program*

*Federal Employees  
Retirement  
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Oregon and Washington;

2. Personal Cares HMO; code GE, serving Illinois;
3. Care Choices; code FA, serving Iowa, Nebraska, and South Dakota; and codes BA and KZ, serving Michigan;
4. OSF Health Plans; code 9F, serving Illinois; and
5. Yellowstone Community Health Plan; code 2Y, serving Montana.

In addition, the law provides that plans may not discriminate against plan doctors or other providers whose individual religious beliefs or moral convictions prevent them from prescribing contraceptives. If you are enrolled in an HMO that covers contraceptive services, but your plan physician refuses to prescribe them based on religious beliefs or moral convictions, contact the plan for assistance. The plan will arrange for you to have access to a provider who will prescribe contraceptives. If you are enrolled in a fee-for-service plan, you are free to select your own physician, but you may wish to consult your plan's provider directory for a preferred provider. In addition, you may contact the plan itself for assistance.



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