

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1338*

Short Title: Women's Health Service Funds.

(Public)

Sponsors: Representative Michaux.

Referred to: Appropriations.

May 10, 1993

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
2 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR SERVICES
3 TO WOMEN TO PREVENT PREGNANCY.
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5 The General Assembly of North Carolina enacts:

6 Section 1. (a) Fund established. The Department of Environment, Health, and
7 Natural Resources shall establish a Women's Health Service Fund. The Department may
8 make reimbursements from the Fund to approved medical providers for services
9 rendered to eligible women who voluntarily request the insertion, implantation, or
10 injection of a long-term, reversible contraceptive device or drug.

11 (b) Definitions. As used in this section, unless the context clearly requires
12 otherwise:

13 (1) " Device or drug" means a long-term, reversible contraceptive device
14 or drug the implantation, insertion, or injection of which is a service
15 covered under this section.

16 (2) " Long-term, reversible contraceptive device or drug" means a device
17 or drug approved for contraceptive purposes by the United States Food
18 and Drug Administration, that, when implanted under the skin,
19 inserted into the uterus, or injected into the bloodstream of a woman of
20 child-bearing age will inhibit or prevent conception for a definite
21 period of time, the contraceptive effects of which are reversible upon
22 removal or discontinuance of the device or drug.

- 1 (3) " Medical provider" means a licensed physician, physician's assistant,
2 nurse practitioner, or other health care provider approved by the
3 Department to provide services under this section.
- 4 (c) Rules. The Department shall adopt rules for the administration of and
5 allocations from the Fund. The rules shall include the following:
- 6 (1) Eligibility requirements enabling women, whether married or
7 unmarried, who have had at least one child, to obtain upon request the
8 implantation, insertion, or injection of a long-term, reversible
9 contraceptive device or drug. Except in cases of medical necessity,
10 women may receive services under this section on a one-time basis
11 only.
- 12 (2) Services under this section shall be conditioned upon agreement by the
13 recipient to attend, prior to insertion, implantation, or injection of the
14 device or drug, education programs approved by the Department. The
15 education programs shall include:
- 16 a. Comprehensive preinsertion or preprescription counseling on
17 implantation, insertion, injection, and removal procedures,
18 b. Potential side effects and costs of the device or drug,
19 c. Other options for preventing conception, including newly
20 approved long-term, reversible contraceptive devices or drugs
21 that become available, and family planning education and
22 counseling, including parenting skills,
23 d. Information on sexually transmitted diseases and the fact that
24 long-term, reversible contraceptive devices and drugs do not
25 protect against such diseases, and
26 e. Counseling for applicants who do not have a high school
27 diploma regarding the benefits of completing her high school
28 education either by remaining in school or obtaining her GED.
- 29 (3) A long-term, reversible contraceptive device or drug shall be
30 prescribed only upon request voluntarily initiated by the recipient and
31 only when there are clear benefits to the recipient as determined by the
32 recipient in consultation with an approved medical provider.
- 33 (4) Procedures for the safe removal or discontinuance of the device or
34 drug, where applicable.
- 35 (5) Written notice to applicants for services that the Department has no
36 obligation to reimburse providers for the reimplantation or reinsertion
37 of a device that has been prematurely removed from the individual
38 except in cases where the premature removal was prescribed for
39 medical reasons.
- 40 (d) Coercion prohibited. The Department shall adopt procedures and rules to
41 ensure that application information, education, and counseling provided to women about
42 the services available under this section are not coercive in any manner, do not offer
43 financial or other incentives to request or refuse the services, and do not impose
44 penalties for the refusal of services.

1 Sec. 2. There is appropriated from the General Fund to the Department of
2 Environment, Health, and Natural Resources the sum of two million dollars
3 (\$2,000,000) for the 1993-94 fiscal year and the sum of three million dollars
4 (\$3,000,000) for the 1994-95 fiscal year for allocation to the Women's Health Service
5 Fund authorized under Section 1 of this act.

6 Sec. 3. This act becomes effective July 1, 1993. Section 1 of this act becomes
7 effective if and only if funds are appropriated for the implementation of Section 1.
8 Nothing in this act obligates the General Assembly to appropriate funds for its
9 implementation, and nothing in this act creates an entitlement to services authorized
10 under this act.