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New Wrinkle for Preventive Care

In a low key announcement Friday afternoon, HHS added a new wrinkle to the preventive care requirements for birth control coverage. Last summer, HHS published a rule that required non-grandfathered health plans to cover all FDA-approved birth control under the preventive care regulations. The new rule, which takes effect January 1, 2013 for calendar year plans, requires all FDA-approved birth control to be covered with no out-of-pocket cost. It still remains unclear what exact type of services are included within this rule.

On Friday afternoon, HHS announced that nonprofit employers who are affiliated with religious employers and who do not currently cover birth control in their plans will have an extra year to comply. The extension would cover nonprofits such as schools, daycare centers and potentially colleges and universities, if they are affiliated with religious organizations. At the same time, direct religious organizations, such as churches, remain totally exempt from the requirement.

HHS has promised to release the updated guidance within the coming days. Currently, the only public announcement is posted to the HHS website here:

http://www.hhs.gov/news/press/2012pres/01/20120120a.html