



REPRESENTATIVE ERIC CROFT

SPONSOR STATEMENT

HB 178 Prescriptive Equity Act

In 2000, the Equal Employment Opportunity Commission ruled that it is against Federal law for employers to exclude prescription contraceptives from their group health insurance plans when other preventative treatments and prescriptions are included. Employers with the very best intentions are inadvertently violating the Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act. The Prescriptive Equity Act is designed to assist Alaska employers in their attempts to promote the health of their employees, while ensuring compliance with Title VII of the Civil Rights Act.

This Act focuses on bringing Alaska statutes and health insurance policy into alignment with the EEOC ruling and other legal judgments. This Act eliminates the possibility that an insurance company offering prescription coverage to businesses in Alaska could omit contraceptive coverage.

Therefore, this Act eliminates the likelihood of legal actions being taken against employers based on unequal treatment of female employees. Such a lawsuit was successfully undertaken against an employer in Washington state in 2001, finding the employer (Bartell Drug Company) guilty of discrimination for excluding prescription contraceptives from their comprehensive prescription drug plan.

This Act specifically excludes policies purchased by religious employers and private individuals. This Act only requires coverage for prescribed drugs and devices that are approved by the US Food and Drug Administration for use as contraception.