**A** **BILL**

TO AMEND SECTION 38‑71‑145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROCEDURES REQUIRING COVERAGE BY HEALTH INSURANCE POLICIES, SO AS TO REQUIRE INDIVIDUAL AND GROUP HEALTH INSURANCE AND HEALTH MAINTENANCE ORGANIZATIONS TO COVER ANNUAL WELL‑WOMAN EXAMINATIONS AND TO PROVIDE A DEFINITION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38‑71‑145 of the 1976 Code is amended to read:

“Section 38‑71‑145. (A) All individual and group health insurance and health maintenance organization policies in this State shall include coverage in the policy for:

(1) mammograms;

(2) annual pap smears;

(3) prostate cancer examinations, screenings, and laboratory work for diagnostic purposes in accordance with the most recent published guidelines of the American Cancer Society; and

(4) annual well‑woman examinations.

(B) The coverage required to be offered under subsection (A) may not contain any exclusions, reductions, or other limitations as to coverages, deductibles, or coinsurance provisions which apply to that coverage unless these provisions apply generally to other similar benefits provided and paid for under the health insurance policy.

(C) Nothing in this section prohibits a health insurance policy from providing benefits greater than those required to be offered by subsections (A) and (B) or more favorable to the enrollee than those required to be offered by subsections (A) and (B).

(D) This section applies to individual and group health insurance policies issued by a fraternal benefit society, an insurer, a health maintenance organization, or any similar entity, except as exempted by ERISA.

(E) For purposes of this section:

(1) ‘Mammogram’ means a radiological examination of the breast for purposes of detecting breast cancer when performed as a result of a physician referral or by a health testing service which utilizes radiological equipment approved by the Department of Health and Environmental Control, which examination may be made with the following minimum frequency:

(a) once as a base‑line mammogram for a female who is at least thirty‑five years of age but less than forty years of age;

(b) once every two years for a female who is at least forty years of age but less than fifty years of age;

(c) once a year for a female who is at least fifty years of age; or

(d) in accordance with the most recent published guidelines of the American Cancer Society.

(2) ‘Pap smear’ means an examination of the tissues of the cervix of the uterus for the purpose of detecting cancer when performed upon the recommendation of a ~~medical doctor~~ licensed health care practitioner, which examination may be made once a year or more often if recommended by a ~~medical doctor~~ licensed health care practitioner.

(3) ‘Health insurance policy’ means a health benefit plan, contract, or evidence of coverage providing health insurance coverage as defined in Section 38‑71‑670(6) and Section 38‑71‑840(14).

(4) ‘Well‑woman examination’ means a physical examination that includes a pelvic examination, breast examination, and contraceptive counseling.”

SECTION 2. This act takes effect upon approval by the Governor.

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