

**Senate File 2122 - Introduced**

SENATE FILE 2122  
BY BOLKCOM

**A BILL FOR**

1 An Act requiring certain health benefit contracts, policies, or  
2 plans to provide coverage of tobacco use cessation programs  
3 and providing an applicability date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 514C.26 Tobacco use cessation  
2 program coverage.

3 1. Notwithstanding the uniformity of treatment requirements  
4 of section 514C.6, a contract, policy, or plan providing for  
5 third-party payment or prepayment of health or medical expenses  
6 shall provide coverage benefits for a tobacco use cessation  
7 program for any enrollee who is eighteen years of age or  
8 older, including but not limited to the following classes of  
9 third-party payment provider contracts, policies, or plans  
10 delivered, issued for delivery, continued, or renewed in this  
11 state on or after September 1, 2010:

12 a. Individual or group accident and sickness insurance  
13 providing coverage on an expense-incurred basis.

14 b. An individual or group hospital or medical service  
15 contract issued pursuant to chapter 509, 514, or 514A.

16 c. An individual or group health maintenance organization  
17 contract regulated under chapter 514B.

18 d. An individual or group Medicare supplemental policy,  
19 unless coverage pursuant to such policy is preempted by federal  
20 law.

21 e. A plan established pursuant to chapter 509A for public  
22 employees.

23 2. This section shall not apply to accident-only, specified  
24 disease, short-term hospital or medical, hospital confinement  
25 indemnity, credit, dental, vision, long-term care, basic  
26 hospital and medical-surgical expense coverage as defined  
27 by the commissioner, disability income insurance coverage,  
28 coverage issued as a supplement to liability insurance,  
29 workers' compensation or similar insurance, or automobile  
30 medical payment insurance.

31 3. As used in this section, "tobacco use cessation program"  
32 means a program recommended by a physician that follows the  
33 United States public health service guidelines for tobacco use  
34 cessation or a product or service with an "A" or "B" rating  
35 from the task force on community preventive services at the

1 United States centers for disease control and prevention of the  
2 United States department of health and human services. *"Tobacco  
3 use cessation program"* includes education and medical treatment  
4 components designed to assist a person in ceasing the use of  
5 tobacco products.

6 4. The commissioner of insurance shall adopt rules pursuant  
7 to chapter 17A as necessary to administer this section.

8

EXPLANATION

9 This bill requires that specified individual or group  
10 health benefit contracts, policies, or plans provide coverage  
11 benefits for a tobacco use cessation program for any enrollee  
12 who is 18 years of age or older. The bill is applicable to  
13 third-party payment provider contracts, policies, or plans that  
14 are delivered, issued for delivery, continued, or renewed in  
15 this state on or after September 1, 2010.

16 For purposes of the bill, "tobacco use cessation program"  
17 means a program recommended by a physician that follows the  
18 United States public health service guidelines for tobacco use  
19 cessation or a product or service with an "A" or "B" rating  
20 from the task force on community preventive services at the  
21 United States centers for disease control and prevention.