

## EEOC – Provisions for Contraceptive Coverage v. New UI Services

In December 2000, the Equal Employment Opportunities Commission (EEOC) issued a Commission Decision stating that it is a violation of Title VII of the Civil Rights Act (the Pregnancy Discrimination Act) for an employer to fail to provide insurance coverage for prescription contraceptives when offering coverage for other prescription drugs and devices. The EEOC's decision is the basis for the Women's Health Task Force's campaign for contraceptive coverage.

In response to the Women's Health Task Force push for full contraceptive coverage for University of Illinois employees, UI Chancellor Nancy Cantor announced on Thursday, January 31, 2002, that the University will soon implement a program through which UI employees can fill their oral contraception prescriptions through McKinley Health Center at no cost.

While the new service is an incredible victory for the Task Force and for UI employees and shows that the University has taken a first step to respond to employees' contraceptive coverage needs, it does not meet the legal provisions of the EEOC decision. The chart below compares the EEOC provisions with the terms of the UI's new service.

	<b>EEOC Provisions</b>	<b>Proposed UI Services</b>
<b>Extent and terms of expense coverage</b>	<ul style="list-style-type: none"> <li>Employers must provide health plans that cover the expenses of prescription contraceptives to the same extent and on the same terms that they cover the expenses of other prescription drugs and devices used for preventive care.</li> </ul>	<p>The new service <b>does not add contraceptive coverage</b> to employees' health insurance plans.</p> <p>The service <b>does not provide the full range</b> of prescription contraceptives and <b>may be limited to employees only</b> (exclude dependents).</p>
<b>Range of methods available</b>	<ul style="list-style-type: none"> <li>Employers must cover the <b>full range</b> of prescription contraceptives, e.g.:               <ul style="list-style-type: none"> <li>- Oral contraceptives</li> <li>- Depo-Provera</li> <li>- Norplant</li> <li>- Lunelle</li> <li>- Diaphragms</li> <li>- IUD's</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>The new service would only provide:</b> <ul style="list-style-type: none"> <li>- <b>Oral contraceptives</b> (the pill)</li> </ul> </li> <li><b>Brands may be limited</b> to only those offered to UI undergraduates</li> </ul>
<b>Number of health plans</b>	<ul style="list-style-type: none"> <li>Employers must include such coverage in <b>each of the health plans</b> offered to its employees.</li> </ul>	<ul style="list-style-type: none"> <li>The new service is an "in kind" service, not insurance coverage. <b>No UI employee health plan covers prescription contraceptives.</b></li> </ul>
<b>Reimbursement</b>	<p>Employers must <b>reimburse</b> women who were denied contraceptive coverage the costs of their prescription contraceptives for the applicable back pay period, "and for determination of any other cognizable damages."</p>	

For more information about the EEOC decisions, visit [www.eeoc.gov/docs/decision-contraception.html](http://www.eeoc.gov/docs/decision-contraception.html).