

Women's Health Act

The Women's Health and Cancer Rights Act (the "Women's Health Act") was signed into law in October of 1998. The Women's Health Act amended the Employee Retirement Income Security Act of 1974 (ERISA) and the Public Health Service Act (PHS Act). This federal law requires group health plans to provide certain coverage for breast reconstruction following mastectomies. This coverage took effect on January 1, 1999.

The Women's Health and Cancer Rights Act of 1998 requires that all group health plans that provide medical and surgical benefits for a mastectomy also must provide coverage for:

- reconstruction of the breast on which the mastectomy has been performed;
- surgery and reconstruction of the other breast to produce a symmetrical appearance; and
- prostheses and coverage for any complications in all stages of mastectomy, including lymphedema.

Under the Women's Health Act, breast reconstruction benefits are subject to the same deductibles, coinsurance and copayments, consistent with those established for other benefits under the plan.