

**STATEMENT OF MARCIA GREENBERGER
CO-PRESIDENT, NATIONAL WOMEN'S LAW CENTER
October 20, 2009**

Good morning. I'm Marcia Greenberger, Co-President of the National Women's Law Center. One year ago, the Center released a ground-breaking report that shone a light on the shocking disparities that many women face in the individual health insurance market. The Center found that many women pay more than men – from four percent to 140 percent more – and get less coverage than they need. Charging women more than men—a practice called “gender rating”—hurts women, hurts families, and is simply indefensible.

On top of the gender rating, three out of every five insurance plans did not provide maternity care at all, even by a separate rider. To add insult to injury, survivors of domestic violence or women who had Caesarian sections could be considered to have “pre-existing conditions”— and be denied coverage.

Today, the National Women's Law Center says loudly and clearly: Being a Woman is Not a Pre-existing Condition. We are launching a new campaign with that name, and we will galvanize women across the country to take action to demand that Congress pass health care reform legislation that works for women.

The need is as urgent today as when we issued our first report one year ago. Today, we release the Center's new report, *Still Nowhere to Turn: Insurance Companies Treat Women Like a Pre-Existing Condition*. In 2009, an astonishing 95 percent of best-selling plans that the Center reviewed use gender rating, compared to 93 percent in 2008.

The Center's new research also found even more egregious examples of gender rating among 25-year-olds. At this age, some women are charged up to a stunning 84% more than men for individual health plans that exclude maternity coverage.

The discrimination is so pronounced and the practice so arbitrary that in most states in the individual insurance market, women who do not smoke are often charged more than men who do smoke—simply because they are women. For example, the Center found that more than 60 percent of best-selling plans charge a 40-year-old non-smoking woman more than a 40-year-old male smoker.

The Center's new research also found that women who obtain health insurance through their employers face some of the same harmful practices that women endure in the individual insurance market.

In most states, insurers are allowed to charge employers more for health insurance based on the number of women they have in their workforce. While some states have protections against this

discriminatory practice, the protections are typically limited to small groups such as businesses with 50 employees or less. Moderate-sized and larger businesses are subject to gender rating in all states except Montana.

We are gratified to note that Senator Mikulski is circulating a Dear Colleague letter to the Senate leadership to ensure that the merged health reform legislation will ban gender rating for all groups regardless of size.

It is time—past time—to ban gender rating and the practice of treating women like a pre-existing condition. The Center's new campaign will reach out to women across the country. We will ask them to join us in the final push for health care reform that meets the needs of women and their families.

By going to the National Women's Law Center website, AWomanIsNotAPre-ExistingCondition.com, women and men across the nation can watch the Center's new video that shows the alarming inequities women face when trying to gain health coverage. And they will learn how to press for health care reform that works for women.

Now I would like to show you our new video.

Visitors to the National Women's Law Center website can learn the facts, take our health care quiz, get our new limited edition campaign T-shirt and contact their Members of Congress to demand health care reform that meets women's needs.

The Center's campaign will also include a national Women's Day of Action for Health Care Reform on Nov. 4, a day for women to hold house parties and other events across the country.

The National Women's Law Center's campaign will activate the thousands of women across America who are ready to stand up for their health, well-being and dignity—women like our next speaker, Chris Turner. Because no woman should ever have to endure what Chris experienced. Thank you.