

FACT SHEET

Texas Bill Attempts to Ban Insurance Coverage of Abortion, and Supplemental Coverage is a False Promise

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Politicians in Texas are endangering women's health. The House is set to vote this week on S.B. 575, a bill that attempts to ban insurance coverage of abortion in every private insurance plan in the state.¹ The Senate already passed the bill earlier this month. This type of insurance coverage ban takes away access to health benefits that women already have and interferes with a woman's ability to make her own health care decisions. In an attempt to make the ban seem less extreme, the bill permits insurers to offer supplemental insurance coverage of abortion. However, supplemental coverage of abortion is a false promise intended to obscure the real goal of eliminating all private insurance coverage of abortion.

Supplemental Coverage of Abortion Takes Benefits Away from Women

Currently insurance companies offering plans in Texas can include coverage of abortion as part of a comprehensive plan. When there is no ban on insurance coverage of abortion, most private plans cover it.² Replacing coverage of abortion within a comprehensive health plan with separate supplemental coverage results in women losing benefits they currently have and leaves even those women with otherwise comprehensive health insurance without coverage for a health care service they may need.

Supplemental Coverage of Abortion is Unworkable and Does Not Provide a Genuine Option for Coverage

Existing data on supplemental coverage of abortion suggests that it simply does not work. In 2010, insurance companies from several states (ID, KY, MO, ND, OK) where abortion coverage had been limited to supplemental coverage told the *Washington Post* that abortion riders were unavailable.³ For example, North Dakota's largest provider, Blue Cross Blue Shield of North Dakota, told the *Post* that it "sells no abortion policies."⁴ The North Dakota Department of Insurance reported to the National Women's Law Center that it had no record of abortion riders from any of the five leading individual insurance plans in the state from at least the past decade. Similarly, representatives at the three largest insurance carriers in Missouri told the National Women's Law Center that they did not sell any plans with optional riders for abortion coverage.⁵ Furthermore, after Michigan passed a law in 2013 limiting insurance coverage of abortion to supplemental coverage, no plans offered supplemental coverage for abortion to women purchasing insurance outside of the group market.⁶

Obtaining Supplemental Coverage for a Specific Procedure is Impractical and Undermines the Purpose of Health Insurance

Health insurance companies do not require individuals to guess which surgeries, specialist visits, or medication they might need. No one can guess which specific health services they will require in the future, and unintended pregnancies are by definition unplanned, which means that women will rarely purchase separate abortion coverage in anticipation of these circumstances. Individuals buy health insurance to ensure that they are covered for expected and unexpected health needs. To require separate coverage for one specific procedure defeats the purpose of insurance coverage and shared risk.

Supplemental Coverage of Abortion Unfairly Burdens Women

Requiring only women to purchase supplemental coverage for a medically necessary service results in a separate and distinct cost for women, rendering coverage for comprehensive health care more expensive for women than men. Historically, women have had less ability than men to access the health care they need. Women have lower incomes than men⁷ and have been substantially more likely than men to forgo health care because of cost.⁸ Supplemental coverage only exacerbates the burdens women face in obtaining and paying for health care.

Additional Burdensome Restrictions on Supplemental Coverage Are Designed to Eliminate Insurance Coverage for Abortion

Even were insurance companies in Texas to offer supplemental coverage, the Texas bill contains additional restrictions that are meant to further discourage such coverage. These restrictions, such as requiring separate signatures from the woman and requiring various types of notice by insurers and employers, are extremely burdensome for those who want to offer such coverage and are designed to intimidate women who would seek to enroll in supplemental coverage for abortion. Their purpose is to effectively guarantee that no such supplemental coverage will exist.

Politicians who promote bans on insurance coverage of abortion and claim to offer women an alternative through supplemental coverage are holding out a false promise. Supplemental coverage of abortion is just another attempt to ban all private insurance coverage of abortion, thereby making abortion more difficult to obtain.

¹ S.B. 575 84th Leg., Reg. Sess. (Tex. 2015).

² Guttmacher Institute, *Memo on Private Insurance Coverage of Abortion* (Jan. 19, 2011), <http://www.guttmacher.org/media/inthenews/2011/01/19/index.html>.

³ Peter Slevin, *Insurers Report on Use of Abortion Riders*, WA. POST, Mar. 14, 2010 available at: <http://www.washingtonpost.com/wp-dyn/content/article/2010/03/13/AR2010031302139.html>.

⁴ *Id.*

⁵ Research conducted by the National Women's Law Center, Sept. 2009.

⁶ Kathleen Gray, *Dems: Make Insurance Companies Offer Abortion Rider*, DETROIT FREE PRESS, Sept. 30, 2014, available at <http://www.freep.com/story/news/local/michigan/2014/09/24/dems-make-insurance-companies-offer-rider/16171859/>.

⁷ National Women's Law Center, *Insecure & Unequal: Poverty and Income Among Women and Families 2000-2013 2* (2014), http://www.nwlc.org/sites/default/files/pdfs/final_2014_nwlc_poverty_report.pdf.

⁸ Alina Salganicoff et al., Kaiser Family Foundation, *Women and Health Care in the Early Years of the ACA 14* (May 2014), <http://kff.org/womens-health-policy/report/women-and-health-care-in-the-early-years-of-the-aca-key-findings-from-the-2013-kaiser-womens-health-survey/>; see also Elizabeth M. Patchias & Judy Waxman, The Commonwealth Fund, *Women and Health Coverage: The Affordability Gap* (April 2007), http://www.commonwealthfund.org/usr_doc/1020_Patchias_women_hlt_cover-age_affordability_gap.pdf.