

A photograph of two women riding bicycles on a beach. The woman in the foreground is wearing sunglasses and a white tank top, smiling. The woman in the background is wearing a hat and a pink top, also smiling. The image is overlaid with a blue tint.

COVER HER

The health care you need. The coverage you deserve.

impact report

Helping women access essential preventive health services

with thanks

ABOUT THE NATIONAL WOMEN'S LAW CENTER

The National Women's Law Center champions laws and policies to protect and expand equality and opportunities for women and girls across the U.S., with a focus on reproductive rights and health, workplace justice, education, and income security. Founded in 1972, NWLC has been at the forefront of virtually every major advance for women for more than 45 years.

ACKNOWLEDGEMENTS

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March 2018

A LEADERSHIP MESSAGE



Access to birth control is essential to women's ability to control their health, lives, and futures, and the National Women's Law Center has long worked to protect women's fundamental right to birth control – and to expand their ability to access it.

We are proud to have played a critical leadership role in securing the Affordable Care Act's historic guarantee of contraceptive coverage with no cost-sharing. But we also know that important advances like this don't just fall into place without help. This is where CoverHer comes in.

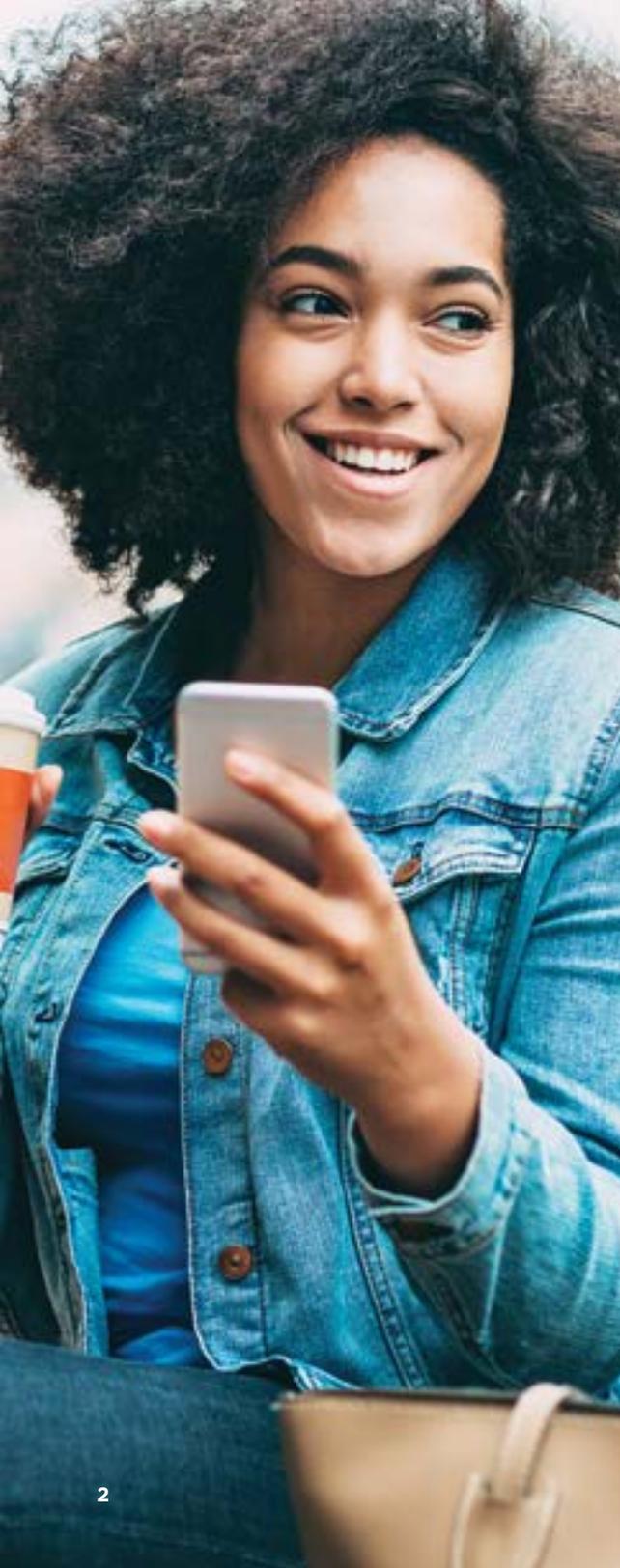
CoverHer is at the heart of NWLC's efforts to ensure that women across the U.S. can secure the contraceptive coverage guaranteed to them by law. CoverHer provides vital information and assistance to individuals across the country, about the ACA's birth control benefit, their rights under the law, and how to take action if they are not getting the coverage they deserve.

As outlined in this report, CoverHer has provided personalized assistance to thousands of women who have experienced problems securing birth control with no out-of-pocket costs. This information and assistance is urgently needed. We hear from women every day – and from across the country. At the same time, CoverHer's user-friendly resources have enabled thousands more to take action to resolve their own problems – for example, when an insurance company wrongly denies them birth control coverage.

And that's not all. The real-world insights, personal stories, and systemic problems identified and gathered through CoverHer allow NWLC to educate other important stakeholders, including health care providers, the media, and policymakers, and to advance solutions that improve and expand access to contraception.

Together, NWLC and CoverHer are achieving real impact for women.

Tahira Moss Graves *Getchen Buchelt*



THE HEALTH CARE WOMEN NEED. THE COVERAGE WOMEN DESERVE.

The Affordable Care Act's birth control benefit requires insurance plans to cover birth control and related education and counseling without any out-of-pocket costs. This is an important advance for women's health, equality, and economic security. Indeed, before the Affordable Care Act (ACA), cost kept many women from using the birth control method that was best for them – or discouraged them from using birth control at all. As the expert panel convened by the Institute of Medicine determined, birth control is necessary preventive care: it reduces unintended pregnancy, adverse pregnancy outcomes, and negative health consequences.

NWLC was instrumental in ensuring that coverage of birth control was included in the Affordable Care Act, and that as a result women would no longer experience cost barriers to birth control. In particular, NWLC was one of only two advocacy groups invited to provide testimony to the Institute of Medicine panel, and explicitly recommended that birth control be included as one of the preventive services covered under the ACA.

After the birth control benefit went into effect, NWLC led efforts to ensure full implementation. This included responding to proposals to allow employers with religious objections to opt out of the benefit, with NWLC repeatedly pointing out that women deserve birth control coverage, no matter where they work or go to school.

MARCH 2010

Affordable Care Act (ACA) becomes law and requires coverage of a set of women's preventive services without cost-sharing

JULY 2011

Expert panel convened by the Institute of Medicine recommends inclusion of all FDA-approved birth control methods as a women's preventive service that should be covered under the ACA

AUGUST 2011

Department of Health and Human Services adopts IOM recommendation in full and requires new health plans to provide such coverage effective August 1, 2012

EARLY 2012

Obama Administration exempts houses of worship from the birth control benefit and creates an accommodation process for religiously affiliated nonprofits and universities who object to providing contraceptive coverage, allowing such employers to opt out, but still guaranteeing that women have seamless contraceptive coverage directly from their insurance plan

AUGUST 2012

Birth control benefit goes into effect, and NWLC's hotline starts fielding questions about birth control and other preventive health services



As the August 1, 2012 implementation date for the birth control benefit drew near, NWLC recognized that many women would have questions about changes to their insurance coverage, or how the birth control benefit works. To help meet this need, NWLC created educational materials about the benefit and launched a hotline to assist women who had questions about the ACA's coverage of birth control and other preventive services – or were having problems securing contraceptive coverage with no cost-sharing.

JUNE 2014

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CoverHer.org

Hotline rebranded as CoverHer, and NWLC launches online ad campaign



NWLC tracked the problems faced by women who contacted CoverHer – from being denied a particular birth control method to being forced by their insurance company to jump through hoops to get the coverage required by law. Additionally, NWLC leveraged lessons learned through the CoverHer hotline to inform and strengthen its efforts to ensure compliance with the birth control benefit.

NWLC issued a series of reports on health plan violations of the Affordable Care Act in spring 2015 – with one report specifically focused on violations of the birth control benefit, which drew on CoverHer learnings and an in-depth review of health plan documents from across the country. Partly in response to these and other reports of violations of the birth control benefit, the federal government issued new guidance in May 2015 clarifying details about the benefit to ensure that plans and issuers provide the coverage required by the law. Following the release of this guidance, many health plans updated their coverage to bring it into compliance with the law. In addition, new research underscored both the popularity of the birth control benefit and the fact that large majorities of women with insurance are no longer paying out-of-pocket costs for birth control.

APRIL 2015

NWLC draws on CoverHer learnings for report on widespread health plan violations of the birth control benefit, such as insurers limiting coverage to generic birth control, failing to cover counseling or follow-up visits, or charging out-of-pocket costs for specific methods like the vaginal contraceptive ring and contraceptive patch

MAY 2015

Obama Administration responds to NWLC's report by issuing new guidance to insurance plans, resulting in problems getting fixed and women getting the coverage they need

JULY 2015

Research shows that women saved \$1.4 billion on co-pays for birth control pills in 2013 alone and that out-of-pocket spending on intrauterine devices (IUDs) has fallen 68%

SEPTEMBER 2015

Study finds that 87% of insured women could have gotten an IUD without out-of-pocket costs by the spring of 2014, a substantial increase from 42% before the birth control benefit took effect



Despite progress, reports of violations of the birth control benefit continue. NWLC continues its role in pushing for full and effective implementation, relying on its CoverHer learnings. This includes NWLC's role as an invited member of a high-level committee that is reviewing implementation of the Women's Preventive Services Initiative.

Women are increasingly concerned about the future of the birth control benefit given Congress's attempts to repeal the Affordable Care Act and the Trump Administration's attempts to roll back the benefit. Amidst this ever-changing landscape, NWLC and CoverHer continue to educate the public about the birth control benefit, ensure women get the coverage they deserve, and work to make sure cost barriers to birth control are a thing of the past.

JULY 2016

NWLC publishes updated report on progress toward full implementation of the birth control benefit, as well as problems women continue to face in securing contraceptive coverage with no cost-sharing

NOVEMBER 2016

CoverHer hotline experiences dramatic uptick in calls in the days after the election and during subsequent efforts to repeal or weaken the ACA

DECEMBER 2016

An expert panel charged with reviewing and updating the ACA's Women's Preventive Services Guidelines reaffirms the current list of required services, including birth control

SEPTEMBER 2017

NWLC releases new data that shows 62.4 million U.S. women now have contraceptive coverage with no out-of-pocket costs thanks to the ACA benefit

OCTOBER 2017

Trump Administration issues new rules rolling back the birth control benefit, and NWLC files a lawsuit on behalf of five women who would lose birth control coverage, one of eight legal challenges to the new rules

DECEMBER 2017

Two federal courts block the Trump rules while the lawsuits proceed

making a difference for women nationwide

Since its launch, NWLC's CoverHer hotline has provided personalized assistance to over 6,700 individuals who have encountered problems securing birth control coverage, including individuals from all 50 states, as well the District of Columbia and U.S. territories. And thousands more have downloaded user-friendly tools to help them take action on their own. Here are just a few stories of women who have been helped by CoverHer.

After a pharmacy charged a co-pay for her contraceptive patch, a woman used CoverHer materials to follow up and secured official notice that the patch should have been covered 100% – and she got her next refill with no co-payment.

After CoverHer helped a woman in Kansas contact her insurance company and the state insurance agency, she was able to fill her NuvaRing prescription with no co-payment – a success story that was featured in Cosmopolitan magazine.

A woman was able to get coverage for the name-brand birth control pill she needed: "I had tried arguing with my insurance company three different times on my own [and] had given up on getting this resolved until I got your email. I used the actual language you sent me and finally got a result. Thank you so, so much for your help!"

A woman in Texas used CoverHer materials to successfully appeal co-pays she'd been charged for the contraceptive ring, and the insurer committed to changing its policy so that no other woman would be forced to pay out-of-pocket costs for the ring.



A Michigan woman successfully appealed a \$2,500 charge for an IUD insertion: “I used a sample letter template posted on your website [and] my appeal was finally approved. Thanks so much for your help. I couldn’t have done it without all of you at NWLC.”

A Massachusetts woman was refunded hundreds of dollars after she used the CoverHer toolkit and template to file a grievance with her employer’s insurance company, which had repeatedly charged a co-pay for her birth control pills.

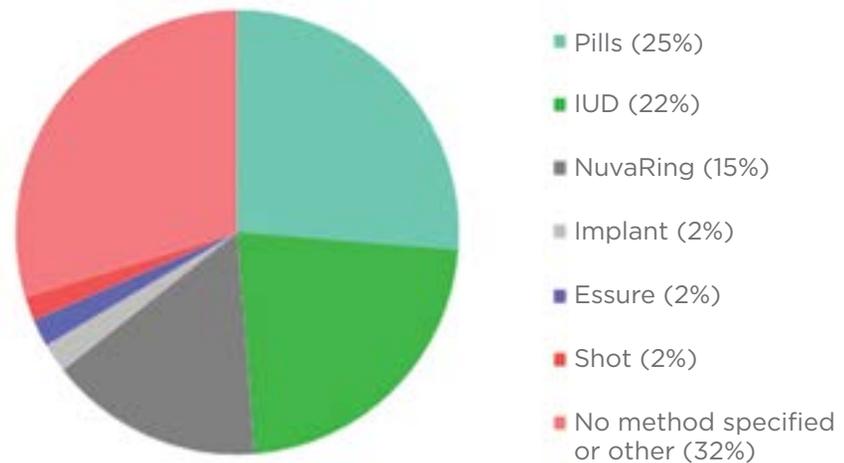
An Iowa woman used CoverHer resources to file an appeal with her health plan – and a complaint with state insurance officials – after being charged over \$700 for a medically necessary ultrasound related to her IUD: “Thank you so much for your detailed and thoughtful guidance! NWLC’s online claim templates were invaluable as well.”

A woman in Maryland got reimbursed after being charged for an IUD removal: “Thank you so much for all of your support and guidance regarding the appeal and eventual contact with the [state insurance office]. I actually can’t believe how quickly you were able to enforce this!”

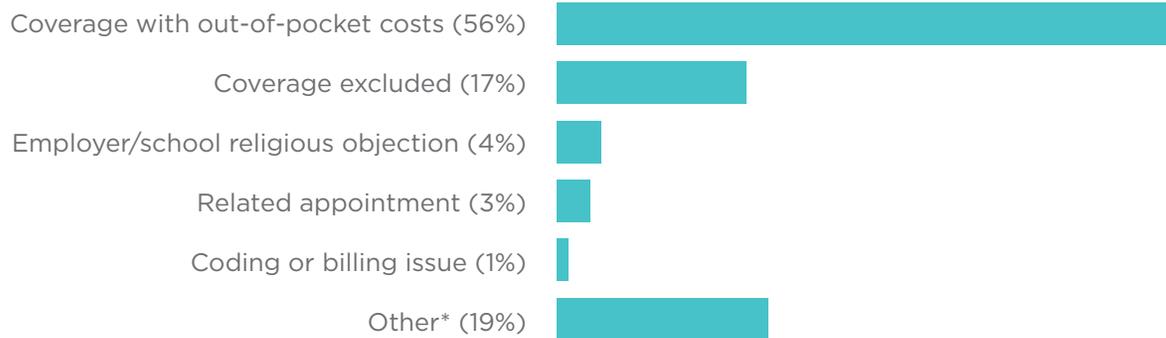
a measurable impact

People contact the CoverHer hotline with a variety of questions and problems. These range from questions about cost-sharing (56%) to problems with an insurance company completely excluding coverage of their chosen birth control method (17%). Hotline inquiries have changed over time – particularly after NWLC’s April 2015 report on health plan violations of the birth control benefit helped secure new guidance from the Obama Administration. But many women continue to experience problems. The bottom line: whether they’re having trouble getting coverage for the birth control pill, the IUD, or another method, have questions about whether their plan has to comply with the ACA’s birth control requirement, or simply want reassurance that the benefit is still in effect during this time of uncertainty, CoverHer provides individuals with the information and resources they need.

Birth Control Method Discussed

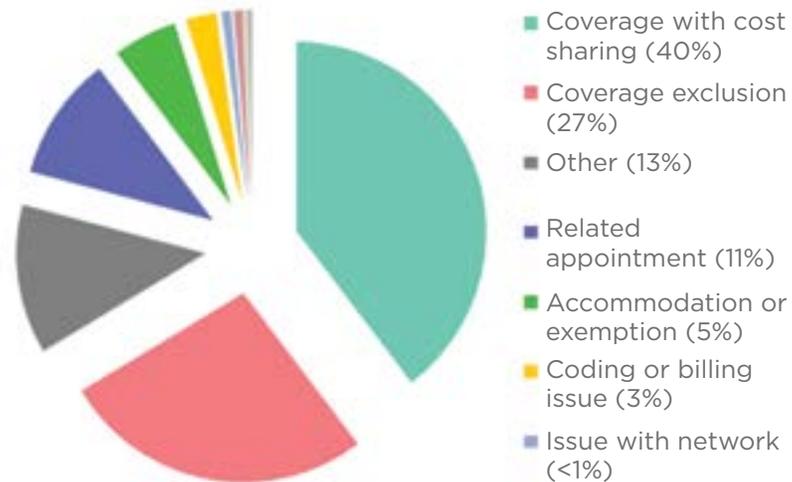


Birth Control Problems Discussed



* Other problems discussed included a complicated or nonexistent waiver process; prior authorization; issue with provider network; issues with age or dependent coverage; and step therapy.

IUD Problems Discussed



spreading the word

CoverHer has reached people across the country in many ways. On Facebook and Twitter. Through online advertising on Google and other search engines. And with blogs and email newsletters to NWLC's growing digital network of nearly 940,000 supporters.

CoverHer has also attracted strong media coverage, from national newspapers such as the New York Times and Wall Street Journal to popular magazines like Cosmopolitan and Glamour.

And, CoverHer presentations and exhibits at major national and regional conferences have reached key target audiences, including health care providers and policymakers.

Together, these digital, media, and in-person engagement efforts have raised awareness of the CoverHer hotline and website, while at the same time educating people about the birth control benefit – and the critical importance of contraceptive access to women’s lives.

engaging the media

Since its launch, CoverHer has been featured in high-profile media outlets nationwide – often in the context of specific threats to contraceptive access, including efforts to undermine the ACA’s birth control benefit. All told, CoverHer mentions have reached a large audience, including tens of millions of subscribers, listeners, and online readers of the following:



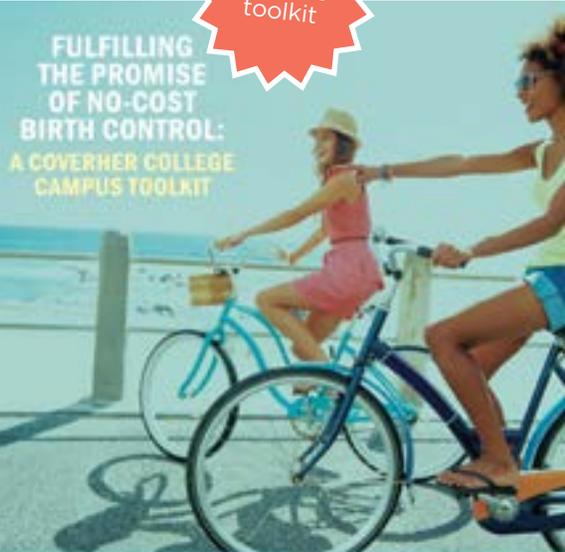


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reaching women where they are

To date, **nearly 60,000 individuals** have visited the CoverHer website – and many then contact CoverHer directly by phone or email to receive personalized assistance. Countless others choose to “get started on their own” by making use of CoverHer’s user-friendly online resources, such as FAQs on contraceptive coverage and easy-to-use template letters for appealing insurance company decisions to charge a co-pay, co-insurance, or deductible for birth control.



CoverHer reached millions of women through a series of digital ads on Facebook and Google – successfully positioning the hotline as an accessible, user-friendly solution for women having problems securing birth control with no cost-sharing.

CoverHer has also been featured on NWLC's website and social media channels, including through frequent Facebook and Twitter posts, Facebook Live events, and a blog series that highlighted tips gleaned from hotline contacts.



The CoverHer College Campus Toolkit provides resources that campus leaders can use to educate students about birth control and help them get the affordable birth control they deserve. CoverHer has worked closely with groups that have strong campus networks to ensure broad distribution of the toolkit. And, CoverHer is featured in an article that remains one of the most popular on the Bedsider.org website, which targets young women aged 18-29.

CoverHer postcards and stickers help spread the word at key conferences and presentations. In fact, nearly half of all CoverHer website visitors use the www.CoverHer.org URL, rather than linking from other websites or search engines, demonstrating the effectiveness of these outreach efforts.



reaching health care providers

Health care providers play a critical role in helping women get the birth control they need, and CoverHer has worked hard to educate providers about the birth control benefit and their patients' rights under the law - and to encourage them to refer women with questions or problems to CoverHer directly. In particular, CoverHer has been featured at major provider conferences and meetings, including those held by the American College of Obstetricians and Gynecologists (ACOG), National Family Planning and Reproductive Health Association (NFPRHA), and North American Forum on Family Planning.

In addition, NWLC has partnered directly with provider groups, for example, by co-authoring an IUD reimbursement guide for providers that highlights the CoverHer hotline and online information resources, and working with ACOG and Upstream to host webinars on contraceptive access issues and CoverHer for both health care providers and staff who handle billing and reimbursement questions.



“I often prescribe birth control to patients for the first time in their lives, and having the CoverHer hotline is essential. Not only do I give out the number for my patients to call themselves if there are any issues with insurance coverage when they go to the pharmacy to pick-up their prescription ... but I myself have used the hotline to help my patients navigate around various barriers to contraceptive access. The legal expertise is a perfect marriage to the medical side of getting patients the care they need and have a right to obtain, no matter what their age or background may be.”

– TRACEY WILKINSON, M.D., Indianapolis, Indiana



leveraging lessons learned to protect and expand contraceptive access

Since the outset, CoverHer has provided an invaluable source of real-world stories – and evidence of systemic problems – that have strengthened NWLC’s wide-ranging efforts to **educate policymakers at both the state and federal levels** around the importance of contraceptive access to women’s lives, the barriers they face in accessing the birth control that’s right for them, and the harmful impact of efforts to weaken or eliminate the ACA’s birth control benefit. NWLC has exhibited and hosted events at conferences such as the annual National Conference of State Legislatures, as well as smaller meetings organized by Women in Government and the Women Legislators’ Lobby, among others.

Some legislators have also helped spread the word about CoverHer. For example, in 2014, after CVS pharmacies across the country began improperly charging women co-pays for their birth control, California Congresswoman Jackie Speier began referring her constituents to CoverHer and focused public attention on the problem. Soon after, CVS sent reimbursement checks to women who had been impacted.

Today, data and stories from the CoverHer hotline continue to play a vital role in NWLC’s efforts to inform and engage senior health officials, insurance industry representatives, and other key decision-makers on the critical importance of the ACA’s birth control benefit to women’s lives.

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