

## Restricting Insurance Coverage of Abortion

**BACKGROUND:** In 2010, President Obama signed into law the Patient Protection and Affordable Care Act, which, among many other things, provides for the establishment of state-level health care exchanges to assist individuals and small businesses in purchasing a private health insurance plan. Despite the fact that these exchanges were not operational until 2014, states began to enact laws in 2010 that restrict the abortion coverage in plans purchased through the exchanges. But although federal health care reform may have renewed the debate around restricting insurance coverage of abortion, restrictive state abortion insurance policies are not a new phenomenon. Several states already restrict private insurance coverage of abortion; these restrictions also apply to plans sold on the exchanges. More often, states have banned abortion coverage in public employees' insurance policies or in other cases where public funds are used to insure employees.

### HIGHLIGHTS:

- 9 states have laws in effect restricting insurance coverage of abortion in all private insurance plans written in the state, including those that are offered through the health insurance exchanges were established under the federal health care reform law.
  - 8 states limit coverage to life endangerment.
  - 1 state limits coverage to life, rape, incest, fetal impairment and “substantial and irreversible impairment of a major bodily function.”
  - 8 states permit additional abortion coverage through purchase of a separate rider and payment of an additional premium.
- 25 states restrict abortion coverage in plans offered through the insurance exchanges.
  - 7 states limit coverage to life endangerment.
  - 3 states limit coverage to life endangerment and “substantial and irreversible impairment of a major bodily function.”
  - 1 state limits coverage to life endangerment, “substantial and irreversible impairment of a major bodily function,” rape or incest.
  - 10 states limit coverage to life endangerment, rape and incest.
  - 1 state limits coverage to life endangerment, rape and incest, fetal impairment and “substantial and irreversible impairment of a major bodily function.”
  - 1 state limits coverage to life endangerment, rape, incest and cases of “grave long-lasting physical health damage.”
  - 2 states prohibit any abortion coverage.
- 20 states restrict abortion coverage in insurance plans for public employees.
  - 9 states limit coverage to life endangerment.
  - 9 states limit coverage to some combination of life endangerment, threat to the woman’s health, rape, incest or fetal abnormality.
  - 2 states prohibit any abortion coverage.
- 17 states have more than one of the above restrictions.



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# RESTRICTING INSURANCE COVERAGE OF ABORTION

STATE	PRIVATE INSURANCE POLICIES		INSURANCE POLICIES FOR PUBLIC EMPLOYEES
	All Private Insurance Plans	Specific to Health Exchanges	
Alabama		Life, Rape, Incest	
Arizona		Life, Severe health <sup>†,‡</sup>	Life, Severe health <sup>†</sup>
Arkansas		Life, Rape, Incest <sup>‡</sup>	
Colorado			No coverage
Florida		Life, Rape, Incest <sup>‡</sup>	
Georgia		Life, Severe Health <sup>†</sup>	Life
Idaho	Life <sup>‡</sup>	Life, Rape, Incest	Life <sup>‡</sup>
Illinois			Life <sup>‡</sup>
Indiana	◆	Life, Rape, Incest, Severe health <sup>†</sup>	◆
Kansas	Life <sup>‡</sup>	Life	Life
Kentucky	Life <sup>‡</sup>	Life <sup>†,Ω</sup>	No coverage
Louisiana		No coverage	
Massachusetts			ξ
Michigan	Life <sup>‡</sup>	Life <sup>‡</sup>	Life <sup>‡</sup>
Mississippi		Life, Rape, Incest	Life, Rape, Incest, Fetal impairment
Missouri	Life <sup>‡</sup>	Life	Life
Nebraska	Life <sup>‡</sup>	Life	Life <sup>‡</sup>
North Carolina		Life, Rape, Incest	Life, Rape, Incest
North Dakota	Life <sup>‡</sup>	Life <sup>†,Ω</sup>	Life
Ohio		Life, Rape, Incest	Life, Rape, Incest
Oklahoma	Life <sup>‡</sup>	Life <sup>‡</sup>	Life <sup>‡</sup>
Pennsylvania		Life, Rape, Incest <sup>‡</sup>	Life, Rape, Incest
Rhode Island	▼		Life, Rape, Incest
South Carolina		Life, Rape, Incest	Life, Rape, Incest, Severe health <sup>†</sup>
South Dakota		Life, Severe Health <sup>†</sup>	
Tennessee		No coverage	
Utah	Life, Rape, Incest, Severe health <sup>†</sup> and Fetal impairment	Life, Rape, Incest, Severe health <sup>†</sup> and Fetal impairment	Life, Rape, Incest, Severe health <sup>†</sup> and Fetal impairment
Virginia		Life, Rape, Incest	Life, Rape, Incest, Fetal impairment
Wisconsin		Life, Rape, Incest, Severe Physical Health <sup>Φ</sup>	
<b>TOTAL</b>	<b>9</b>	<b>25</b>	<b>20</b>

▼ Enforcement permanently enjoined by court order; policy not in effect.

◆ Policy takes effect later in 2014.

† The health exception applies to a “substantial and irreversible impairment of a major bodily function.”

‡ Additional abortion coverage is available only through the purchase of a separate rider at an additional cost.

Ω Although the law does not specifically refer to health reform, the restriction applies to health plans offered in the health exchange.

ξ State specifically prohibits coverage of postviability “partial-birth” abortions except in cases of life endangerment and “substantial risk of grave impairment of her physical or mental health.”

Φ Health exception applies in cases when the abortion is necessary to “prevent grave, long-lasting physical health damage to the woman.”

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FOR MORE INFORMATION:

For information on state legislative and policy activity, click on Guttmacher's [Monthly State Update](#), for state-level policy information see Guttmacher's [State Policies in Brief](#) series, and for information and data on reproductive health issues, go to Guttmacher's [State Center](#). To see state-specific reproductive health information go to Guttmacher's [Data Center](#), and for abortion specific information click on [State Facts About Abortion](#). To keep up with new state relevant data and analysis sign up for the [State News Quarterly Listserv](#).

Hasstedt K, [Abortion Coverage Under the Affordable Care Act: The Laws Tell Only Half the Story](#), *Guttmacher Policy Review*, 2014, 17(1):15-21.

Boonstra HD and Nash E, [A Surge of State Abortion Restrictions Puts Providers—And the Women They Serve—in the Crosshairs](#), *Guttmacher Policy Review*, 2014, 17(1):9-15.

Boonstra H, [Insurance Coverage of Abortion: Beyond the Exceptions For Life Endangerment, Rape and Incest](#), *Guttmacher Policy Review*, 2013, 16(3):2-8.

Jones RK, Upadhyay UD and Weitz TA, [At what cost?: payment for abortion care by U.S. women](#), *Women's Health Issues*, 2013, 23(3):e173–e178.

Cohen SA, [Insurance coverage of abortion: the battle to date and the battle to come](#), *Guttmacher Policy Review*, 2010, 13(4):2–6.

Gold RB, [Insurance coverage and abortion incidence: information and misinformation](#), *Guttmacher Policy Review*, 2010, 13(4):7–10.

Kurth A et al., [Reproductive and sexual health benefits in private health insurance plans in Washington State](#), *Family Planning Perspectives*, 2001, 33(4):153–160 & 179.

Sonfield A et al., [U.S. insurance coverage of contraceptives and the impact of contraceptive coverage mandates, 2002](#), *Perspectives on Sexual and Reproductive Health*, 2004, 36(2):72–79.