

S. 109: The End of Abortion Coverage

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S. 109, the deceptively titled "No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act," introduced by Sen. Wicker (R-M.S.), is radical legislation that threatens women's access to medical care. This dangerous bill would raise taxes on women and small businesses, could end coverage for abortion care in private insurance plans and would permanently deny coverage for abortion care in federally supported health insurance plans that cover women with lower incomes, among others.

S.109 is intended to eliminate all insurance coverage for abortion and ultimately deny women the right to make a real decision about whether to have an abortion. This bill would:

- ▶ Effectively ban abortion coverage in private plans sold through the Affordable Care Act's (ACA) health insurance marketplaces.
- ▶ Make it harder for insurance companies to offer abortion coverage in policies sold outside the marketplaces, which could eliminate abortion coverage in the private market altogether.
- ▶ Prohibit abortion coverage in multi-state plans offered in the health insurance marketplaces.
- ▶ Increase taxes on small businesses that keep the insurance coverage they already have.
- ▶ Force women with abortion coverage to pay higher taxes than those without it.
- ▶ Permanently deny access to abortion coverage for all women who receive health insurance through the federal government.
- ▶ Permanently prohibit the District of Columbia from using its *own* funds for abortion services for DC residents.

Bans on insurance coverage for abortion threaten women's health by making it harder for them to obtain needed reproductive health services. Such bans are especially burdensome for low-income women who struggle to pay for care and often go without enough food, utilities, and other necessities in order to obtain abortion care.

S. 109 Manipulates the Tax Code, Raises Taxes on Individuals and Businesses, and Could Eliminate Abortion Coverage in the Private Market

S. 109 would increase taxes on women who obtain abortion coverage, eliminate tax benefits for many small businesses, and effectively ban abortion coverage in the health insurance marketplaces. Moreover, it would create disincentives for insurers to offer abortion coverage in the private market.

S. 109 would effectively ban abortion coverage in private plans sold through the ACA's health insurance marketplaces. When purchasing insurance in the marketplaces, low- and moderate-income individuals and families are eligible for premium assistance. S. 109 twists the tax code to keep consumers from using this assistance to buy private insurance plans that cover abortion. Most people purchasing insurance through the marketplaces are expected to be eligible for this assistance, thus, only the small number who do not receive premium assistance could select plans that cover abortion. Facing a reduced consumer pool and the administrative burdens of offering multiple plans, insurance companies would likely drop abortion coverage rather than incur the hassle and cost of marketing to a small number of consumers.

S. 109 would eliminate abortion coverage in health insurance marketplace multi-state plans. Current law requires that at least one multi-state plan available in the health insurance marketplace exclude abortion coverage, but also allows health plans to offer comprehensive coverage to consumers. Under S. 109, a comprehensive plan that covers abortion would no longer be available, further limiting customer choice in the marketplaces even for consumers who are not taking advantage of premium assistance.

S. 109 would make it harder for insurance companies to offer abortion coverage in policies sold outside of the marketplaces. Each year, more Americans and businesses are expected to buy insurance in the marketplaces. This bill would create an incentive for insurers to standardize products and could eliminate coverage for abortion, even outside the marketplaces.

S. 109 would increase taxes on small businesses. Many private health plans offer coverage that includes abortion care. Under the proposed legislation, small businesses that want to continue to offer comprehensive plans that include abortion coverage would no longer be eligible for the Small Business Health Tax Credit. This tax credit will be worth up to 50 percent of premium costs in 2019. Eliminating tax credits for small business that provide abortion coverage to their workers would force those businesses to choose between significant tax increases or dropping their current insurance plans.

S. 109 would permanently deny access to abortion coverage for all women who receive coverage through the federal government. S. 109 would codify existing policies that prohibit abortion coverage in federally supported health insurance. It would permanently prohibit insurance coverage for abortion care, with very few exceptions, for women covered through Medicaid or the Indian Health Service, women serving in the Peace Corps, women living in federal correctional facilities, and federal employees and their dependents.

S. 109 would permanently prohibit the District of Columbia from using its own funds to provide abortion care. S. 109 would define federal funding so expansively that the District of Columbia would be prohibited from using its own, locally raised funds to cover abortion services for its residents, denying the District a right enjoyed by all 50 states.

The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care and policies that help women and men meet the dual demands of work and family. More information is available at NationalPartnership.org. © 2019 National Partnership for Women & Families. All rights reserved.