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**Testimony on Behalf of the National Organization for Women  
New York City Chapter (NOW-NYC) and Raising Women's Voices on  
The Establishment of a Health Insurance Exchange In New York State**

I am Jean Bucaria, the deputy director of the National Organization for Women - New York City. As a women's rights organization, NOW-NYC speaks on behalf of our members, representing thousands of women and men across the five boroughs of New York City. We present this testimony along with Eesha Pandit, the Advocacy Director of Raising Women's Voices, a national initiative with offices here in Manhattan that is working to make sure women's health needs are addressed as the Affordable Care Act is implemented. We are both member organizations of the New York State Alliance for Women's Health—a coalition of 57 organizations aiming to secure optimal health for every woman in New York State. We are here to underscore the importance of pro-actively considering the unique healthcare needs of women and girls and the necessity for comprehensive reproductive health care access in the establishment of our New York State health insurance exchange. Thank you for conducting this forum and giving us the opportunity to state our case.

New York State has a long established and proud record of being a national leader in providing comprehensive reproductive health care. Our New York State law in support of legal access to abortion actually predates the *Roe v. Wade* decision, and New York is one of the 17 states that provide abortion funding for low income women, enabling coverage for the poorest women who need it most.<sup>1</sup> Our state has also taken the initiative to ensure that rape victims have access to emergency contraception at hospitals that provide treatment for survivors.<sup>2</sup> We strongly urge that New York state uphold its established standards of care for women and girls and seek to also improve and expand that care by ensuring that plans participating in the new health insurance exchange cover women's full health care needs including contraception, abortion, STI screening and treatment, breast and cervical cancer screenings, pre-natal care, and maternity care.

First, it's both critical to women's health and cost-effective for insurance plans to cover contraceptives. Ensuring women's access to comprehensive contraceptive care is vital for reducing the number of unintended pregnancies, for enabling women to plan the spacing and timing of their pregnancies—which supports both maternal and child health, and for preventing health problems affecting women.<sup>3</sup>

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<sup>1</sup> Guttmacher Institute, State Funding of Abortion Under Medicaid, accessed May 16th, 2011 at

[http://www.guttmacher.org/statecenter/spibs/spib\\_SFAM.pdf](http://www.guttmacher.org/statecenter/spibs/spib_SFAM.pdf)

<sup>2</sup> Rape and Sexual Offenses State Statutes 2006, Bureau of Community and Intergovernmental Affairs, accessed May 16<sup>th</sup>, 2011, at

[http://www.ag.ny.gov/bureaus/intergov\\_affairs/victims\\_rights/cv\\_statutes\\_rape.html](http://www.ag.ny.gov/bureaus/intergov_affairs/victims_rights/cv_statutes_rape.html)

<sup>3</sup> Protecting your Reproductive System, The Centers for Disease Control and Prevention, accessed May 16<sup>th</sup>, 2011 at

<http://www.cdc.gov/reproductivehealth/WomensRH/index.htm>

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The need for coverage is clear: ninety-eight percent of sexually active women will use birth control at some point.<sup>4</sup> There is a strong medical consensus in support of contraceptives as a component of standard preventive care. In fact, the American Medical Association, the Academy of Family Physicians, the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, and the Society for Adolescent Medicine all consider family planning preventive care. This stands in alignment with the voting public, of which 89% support public funding for family planning services.<sup>5</sup> Furthermore, the National Women’s Law Center documents numerous studies that conclude insurance coverage of contraceptives actually reduces costs. It also cites that it benefits employers by ensuring compliance with federal laws against sex discrimination in the workplace.<sup>6</sup> Despite this, the U.S. Department of Health and Human Services is still in the process of deciding whether contraception will be included in the federally-mandated minimum essential benefits packages for health insurance plans being offered in the state exchanges. If it is not included, then New York State would need to cover these costs with state dollars. As part of our state’s commitment to family planning, we urge the Governor and Legislative leaders to reach out to the U.S. Department of Health and Human Services Secretary Kathleen Sebelius to make sure that for all the reasons outlined here, contraceptives are included in that benefits package.

Second, it is imperative that women are able to obtain insurance coverage for abortion. Currently, about 87% of private plans offer abortion coverage, as this is a vital part of women’s legal medical care.<sup>7</sup> One in every three women in the U.S. will access an abortion by the time she is 45 years old.<sup>8</sup> This makes it particularly critical that insurance coverage is in place, providing a safety net for this unanticipated medical expense. Put simply, women don’t plan to have an abortion. Sixty percent of women who have abortions already have one or more children.<sup>9</sup> The reasons women access abortion vary widely and can include anything from social and economic considerations to serious health complications such as cancer or heart disease, to finding out the fetus would have no chance of survival. Excluding any woman from comprehensive health coverage that includes abortion is simply denying access to necessary care. Under the Affordable Care Act, insurers are free to offer abortion coverage in policies sold on the state’s exchange if that state allows that coverage, which New York does.

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<sup>4</sup> Insurance Coverage for Birth Control, Planned Parenthood Action Center, accessed May 16<sup>th</sup> 2011, at <http://www.plannedparenthoodaction.org/positions/insurance-coverage-birth-control-627.htm>

<sup>5</sup> Family Planning Facts, National Family Planning and Reproductive Health Association, accessed May 16<sup>th</sup>, 2011 at [http://www.nfprha.org/main/family\\_planning.cfm?Category=Main&Section=Main](http://www.nfprha.org/main/family_planning.cfm?Category=Main&Section=Main)

<sup>6</sup> Guaranteeing Coverage of Contraceptives: Past and Present, National Women’s Law Center, accessed May 16<sup>th</sup>, 2011 at <http://www.nwlc.org/resource/guaranteeing-coverage-contraceptives-past-and-present>

<sup>7</sup> Memo on Private Insurance Coverage of Abortion, The Guttmacher Institute, January 19<sup>th</sup> 2011, accessed May 16<sup>th</sup> 2011, at <http://www.guttmacher.org/media/inthenews/2011/01/19/index.html>

<sup>8</sup> Thinking About Abortion, Planned Parenthood, accessed May 16<sup>th</sup> at <http://www.plannedparenthood.org/health-topics/pregnancy/abortion-21519.htm>

<sup>9</sup> Facts on Induced Abortion in the United States, Guttmacher Institute, January 2011, accessed May 16<sup>th</sup>, 2011 at [http://www.guttmacher.org/pubs/fb\\_induced\\_abortion.html](http://www.guttmacher.org/pubs/fb_induced_abortion.html)

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New York State should not deviate from what a clear majority of private insurance plans consider standard health insurance coverage, and it should maintain what has been status quo in our state—that insurers routinely offer abortion coverage as part of comprehensive insurance packages.

Our organization is committed to the creation of a state health care exchange that is a robust expansion of health care access in our state. The exchange will provide insurance coverage for freelancers, small business owners and their employees, nonprofit organizations and the many for whom health care insurance is currently a luxury that is out of reach. We must take this opportunity to expand health care access, reduce ballooning medical costs, and set the stage for the future of health care in our state. Since insurance coverage will be mandated by law for most New Yorkers, we have an obligation to make sure that it adequately addresses all of our health care needs. Our foremost goal in establishing this exchange should be the expansion of quality care. We urge the New York State Insurance Department, the Governor, the New York State Health Department and the New York State Legislature to make sure that the insurance coverage offered in the new exchange aligns with current standards and is in the best interests of New Yorkers, by including comprehensive reproductive health care. Thank you.

*About NOW-NYC: The National Organization for Women is the nation’s largest organization working to advance women’s rights and improve women’s lives. The New York City Chapter of NOW, founded in 1966, is the largest chapter in the country with 5,000 members locally and 35,000 statewide. NOW-NYC works to promote women’s reproductive rights, secure women’s economic empowerment, and end violence and discrimination against women.*