

FAQ on Changes to Birth Control Access and Coverage

October 10, 2017



Q1) How does the latest change to birth control access differ from the previous policy?

A1) The changes announced by the Trump administration on October 6, 2017 allow more employers new and expanded options to opt out of covering birth control for their employees. Previously only houses of worship were exempt from covering birth control. Based on court rulings, other employers (closely-held private companies (e.g. Hobby Lobby) and religious non-profits) could opt out of providing birth control, but their employees and dependents could still access free coverage through third-party payers. As of October 6, not only can more companies and organization claim a religious exemption, but nonprofits, closely-held for-profit companies, insurers, and private universities can claim an additional "moral" objection to providing birth control coverage. Employees of those companies and nonprofits seeking this exemption will have to pay out-of-pocket for birth control. According to the Kaiser Family Foundation, 20% of women with private insurance paid for birth control in 2012, and only 3% do so now.

Q2) When was the last time the policy changed?

A2) Birth control was added to the free guidelines for women's preventive health on August 1, 2012. This was one year after the Institute of Medicine, a nonprofit, non-governmental adviser to the federal government on health science issues, recommended the addition of birth control as preventive health covered at no cost to patients—like vaccinations, diabetes screening, and mammograms. Health insurance plans started covering birth control at no cost to consumers in their next plan years, likely plans starting in 2013 or 2014.

Q3) Who will be affected?

A3) It depends which type of company you work at—and how your company's owners view birth control. According to the 2015 Census, 500,000 Utah women are covered by health insurance from an employer, and most of them work for employers subject to this rule change. A broad range of employers—public and private companies of all sizes, religious organizations, non-profits, private universities, associations, and churches—can object on religious grounds to providing birth control. No certification or notification is required. If companies remove or limit access to birth control, employees and their dependents (including students at these universities) must pay co-pays, deductibles, or pay out-of-pocket for their birth control. A more limited range of employers—nonprofits, closely-held private companies, insurers, and private universities—can object on moral grounds to provide free birth control coverage with the same result that birth control is no longer a free aspect of preventive care.

Q4) What will viewers need to do to be prepared?

A4) Find out if your employer has objections to providing birth control coverage. If you think they might restrict your coverage now or in the future, make an immediate appointment to get a long-lasting birth control like Paragard (10 years) or Mirena (5 years)—which can cost \$900 per device and \$200 for insertion. This is also important if you use birth control to treat medical conditions like heavy periods, PCOS, or endometriosis. Employers do not have to offer exemptions for employees who use birth control to treat medical conditions. Birth control pills are initially cheaper than long-lasting methods like IUDs, but less effective and about the same cost over the long-term.

Q5) When will these changes take effect?

A5) The new rules take effect immediately as of October 6, 2017. The earliest that these changes can be made to health insurance plans will be the first day of a new coverage year, typically January 1, 2018. Or 60 days after notice is given to employees of the benefit changes—which could be mid-December 2017. Most changes will occur starting in 2018. However, several lawsuits are pending which could delay or change these rulings. In addition, some states (but not Utah) require birth control coverage as part of state law, and additional lawsuits could result from this conflict of state and federal requirements.