

SENATE BILL REPORT

HB 2252

As Reported by Senate Committee On:
Health & Long Term Care, February 26, 2020

Title: An act relating to student health plans.

Brief Description: Concerning student health plans.

Sponsors: Representatives Thai, Callan, Macri, Doglio, Cody, Lekanoff and Pollet.

Brief History: Passed House: 2/16/20, 56-40.

Committee Activity: Health & Long Term Care: 2/24/20, 2/26/20 [DP, DNP].

Brief Summary of Bill

- Requires certain student health plans to provide coverage for the voluntary abortion of a pregnancy.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway, Dhingra, Frockt, Keiser and Van De Wege.

Minority Report: Do not pass.

Signed by Senators O'Ban, Ranking Member; Becker, Muzzall and Rivers.

Staff: Evan Klein (786-7483)

Background: Insurance Coverage for Abortions. A health plan that provides coverage for maternity care or services must also provide substantially equivalent coverage to permit the voluntary abortion of a pregnancy. The plan may not limit a woman's access to services related to the voluntary abortion of a pregnancy, except for generally applicable terms and conditions, including cost-sharing. A health plan is not required to cover abortions that would be illegal under state law.

Student Health Plans. Certain student health plans are exempt from most requirements applicable to other health plans, including requirements relating to abortion coverage. To be

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exempt, a student health plan must be guaranteed renewable while the covered person is a student at a higher education institution and must be approved by the Office of the Insurance Commissioner (OIC).

Objections Based on Conscience or Religion Under State Law. No individual health care provider, religiously sponsored health carrier, or health care facility may be required by law or contract to participate in the provision of or payment for a specific service if they object to so doing for reasons of conscience or religion. No person may be discriminated against in employment or professional privileges because of such objection. No individual or organization with a religious or moral tenet opposed to a specific service may be required to purchase coverage for that service or services if they object to doing so for reasons of conscience or religion.

A health carrier exercising its right of conscientious objection must:

- provide enrollees written notice of the services the carrier refuses to cover for reason of conscience or religion;
- provide written information describing how an enrollee may directly access services in an expeditious manner; and
- ensure that enrollees who are refused services have prompt access to information describing how they may directly access services in an expeditious manner.

The OIC must establish a mechanism to recognize the right of conscience while ensuring enrollees timely access to services and to ensure prompt payment to providers. Under rules adopted by the OIC, all carriers are required to file a description of the process they will use to recognize an organization or individual's exercise of conscience when purchasing coverage; the process may not affect a non-objecting enrollee's access to coverage for those services. A religiously sponsored carrier that elects not to cover certain benefits because of religious beliefs must file a description of the process by which its enrollees will have timely access to all Basic Health Plan services.

Summary of Bill: Student health plans issued or renewed on or after January 1, 2021 that are guaranteed renewable while the covered person is a student at a higher education institution, are subject to the abortion requirements applicable to other health plans.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill corrects an oversight from previous legislation that left student health plans out of the abortion benefits mandate. This requirement does not override the conscience rights of health plans. Students are struggling to access affordable abortion services. The inability to access affordable services or to have a child unexpectedly while in school makes it difficult for students to stay in school and graduate. Access to abortion services will give students stability in their lives.

CON: Maternity benefits and abortion are not comparable. Maternity benefits seek to produce a healthy baby, while abortion pertains to death. Requiring an insurer to cover abortion because it covers maternity benefits is unconscionable. This bill has no conscience clause. Carriers that assert conscience protections still have to provide information on how to receive an abortion, which makes the carrier complicit with the coverage they object to providing. The claim of conscience protections is false. We should not encourage insurance companies to stop offering maternity benefits.

Persons Testifying: PRO: Lonnie Johns-Brown, Office of the Insurance Commissioner; Spencer Lively, Associated Students of UW.

CON: Theresa Schremp, citizen.

Persons Signed In To Testify But Not Testifying: No one.