



Resolution No. 302 (Ohio A) - Contraception Coverage as Part of Minimum Benefits Package

ACTION TAKEN BY THE 2019 CONGRESS OF DELEGATES: REAFFIRMED AS CURRENT POLICY



RESOLUTION NO. 302 (Ohio A)

Contraception Coverage as Part of Minimum Benefits Package

Introduced by the Ohio Chapter

Referred to the Reference Committee on Practice Enhancement

WHEREAS, Ensuring access to affordable or no-cost family planning services is a cost-effective public health strategy to address the economic and public health impact of unintended pregnancy, and

WHEREAS, the estimated cost of one Medicaid-covered birth in the U.S. was \$12,613 in 2008, compared to \$257 for the per-client annual cost for contraceptive care, and

WHEREAS, in 2010, the total public expenditure on unintended pregnancies nationally was an estimated \$21 billion, and

WHEREAS, long-acting reversible contraception has been shown to reduce unintended and teen pregnancy rates, and

WHEREAS, the negative consequences of unintended pregnancy include delays in initiating prenatal care, increased risk of maternal depression, increased risk of physical violence during pregnancy, low birth weight infants, and infant mortality, and

WHEREAS, access to affordable family planning services contributes to improved health outcomes for infants, children, women, and families and allows people to achieve desired birth spacing and family size, and

WHEREAS, Healthy People 2020 aims to “improve pregnancy planning and spacing and prevent unintended pregnancy” and states that “family planning is one of the ten great public health achievements of the 20th century, now, therefore, be it

RESOLVED, That the American Academy of Family Physicians support ensuring coverage of all Food and Drug Administration-approved contraceptive drugs, devices, and products as well as voluntary sterilization procedures by private and public entities as part of a minimum benefits plan.

(Received 8/14/19)

Fiscal Impact: None

Background

Federal law, under section 2713 of the Affordable Care Act (ACA), requires most private health plans nationwide, whether sold to employers, schools, or individuals, or whether offered by self-funded employers to offer contraceptive coverage. According to the Healthcare.gov [website](https://www.healthcare.gov/preventive-care-women/) (<https://www.healthcare.gov/preventive-care-women/>), all marketplace health plans and many other plans must cover preventive services for women including contraceptive methods and counseling without charging a copayment or coinsurance. The Food and Drug Administration (FDA) approved contraceptive methods prescribed by a woman's doctor include:

- Barrier methods, like diaphragms and sponges
- Hormonal methods, like birth control pills and vaginal rings
- Implanted devices, like intrauterine devices (IUDs)
- Emergency contraception, like Plan B and Ella
- Sterilization procedures
- Patient education and counseling

While most plans are required to cover contraceptives there are exemptions. [Grandfathered](https://www.healthcare.gov/health-care-law-protections/grandfathered-plans/) (<https://www.healthcare.gov/health-care-law-protections/grandfathered-plans/>) and short-term health plans may not be required to cover contraception as well other preventive services. In addition, according to a *Guttmacher* "Insurance Coverage of Contraceptives" [backgrounder](https://www.guttmacher.org/state-policy/explore/insurance-coverage-contraceptives) (<https://www.guttmacher.org/state-policy/explore/insurance-coverage-contraceptives>), in October 2017, two regulations allowed employers to exclude contraceptive coverage from any health plan it offers to its employees and their dependents for religious and moral objections. Enforcement of these regulations has been blocked by the courts. Previous federal regulations are in effect that offer an exemption for a much narrower set of explicitly religious employers.

The AAFP has strong policies that support contraceptive coverage. The AAFP's Coverage, Patient Education, and Counseling for Family Planning, Contraceptive Methods, and Sterilization Procedures policy states in part, "The AAFP supports policies and legislation that would require public and private insurance plans to provide coverage and not impose cost sharing for all FDA approved contraceptive methods, sterilization procedures, and patient education and counseling for all women and men with reproductive capacity including those contraceptive methods for sale over-the-counter. Further, the AAFP has a [policy](https://www.aafp.org/about/policies/all/otc-oral-contraceptives.html) (<https://www.aafp.org/about/policies/all/otc-oral-contraceptives.html>) that supports insurance coverage of oral contraceptives regardless of prescription status in all insurance plans. Lastly, the AAFP's Reproductive and Maternity Health Services policy states in part, "The AAFP believes maternity and reproductive health services are essential to general health care and should be covered under all insurance plans." The AAFP has also urged support for continued coverage of contraception. The following are a few examples:

- In 2019, the AAFP submitted a [letter](#) to the HHS strongly urging the preservation of the guaranteed coverage of women's preventive services, including contraception, and no out-of-pocket cost.

- As a member of the Group of Six front line coalition of medical organizations, the AAFP signed a 2018 joint [letter](https://www.aafp.org/media-center/releases-statements/all/2018/contraceptive-access-rules.html) (<https://www.aafp.org/media-center/releases-statements/all/2018/contraceptive-access-rules.html>) opposing final rules, “Religious Exemptions and Accommodations for Coverage of Certain Preventive Services under the Affordable Care Act” and “Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act.” The letter opposed undercutting women’s access to contraception at no out-of-pocket cost in private insurance plans.
- In 2017, the AAFP submitted a [letter](https://www.aafp.org/dam/AAFP/documents/advocacy/prevention/women/LT-CMS-FDA-OTCcontraceptives-08917.pdf) (<https://www.aafp.org/dam/AAFP/documents/advocacy/prevention/women/LT-CMS-FDA-OTCcontraceptives-08917.pdf>) to HHS & CMS requesting the agencies review and revise, as necessary, its consideration and coverage of contraceptive options to include coverage of all FDA-approved contraceptive options for men and women of reproductive age enrolled in Medicare and Medicaid.

Current Policy

Coverage for Patient Education, and Counseling for Family Planning, Contraceptive Methods, and Sterilization Procedures (https://www.aafp.org/about/policies/all/family_planning.html)

Contraception Methods for Medicare Patients (<https://www.aafp.org/about/policies/all/contraception-medicare.html>)

Prior Congress Action

Resolution No. 410 from the 2017 COD (Adopted):

RESOLVED, That the AAFP oppose legislation that allows insurers to opt out of maternity and reproductive health coverage, and be it further

RESOLVED, That the American Academy of Family Physicians issue a formal statement affirming that maternity and reproductive health services are essential to general health care and should be covered under all insurance plans.

Please see Page 361 in the 2017 Transactions

(https://www.aafp.org/content/dam/AAFP/documents/about_us/congress/restricted/2017/CODTransactions2017.pdf) **for details.**

Please see Resolution No. 410 (<https://www.aafp.org/about/governance/congress-delegates/2017/resolutions2/georgia-b.mem.html>), **on the AAFP website for follow-up details.**

Resolution No. 502 from the 2016 COD (Adopted):

RESOLVED, That the American Academy of Family Physicians advocate that emergency contraception, whether over-the-counter or by prescription, be a covered benefit under all Medicaid programs for all women of reproductive age.

Please see Page 363 in the 2016 Transactions

(https://www.aafp.org/content/dam/AAFP/documents/about_us/congress/restricted/2016/CODTransactions2016.pdf) **for details.**

Please see Resolution No. 502 (<https://www.aafp.org/about/governance/congress-delegates/2016/resolutions/california-b.mem.html>), **on the AAFP website for follow-up details.**

Resolution No. 303 from the 2015 COD (Substitute Adopted):

RESOLVED, That the AAFP support Medicare coverage for all FDA-approved methods of contraception, and be it further

RESOLVED, That the AAFP write a letter to the Centers for Medicare and Medicaid Services advocating for full coverage of all contraceptive options for men and women of reproductive age.

Please see Page 290 in the 2015 Transactions

(https://www.aafp.org/content/dam/AAFP/documents/about_us/congress/restricted/2015/CODTransactions2015.pdf) **for details.**

Please see Resolution No. 303 (<https://www.aafp.org/about/governance/congress-delegates/previous/2015/resolutions/cosponsored-b.mem.html>) **on the AAFP website for follow-up details.**

Resolution No. 504 from the 203 COD (Referred to the Board of Directors):

RESOLVED, That the American Academy of Family Physicians endorse the policy that oral contraceptive pills be made available over-the-counter, weighing the risks versus the benefits based on currently available data, and be it further

RESOLVED, That the American Academy of Family Physicians endorse the policy that oral contraceptive pills be included among Food and Drug Administration-approved over-the-counter contraceptive methods and supplies covered by insurers and Medicaid.

Please see Pages 310-313 in the 2013 Transactions

(https://www.aafp.org/content/dam/AAFP/documents/about_us/congress/restricted/2013/2013Transactions.pdf) **for details.**

Please see Resolution No. 504 (<https://www.aafp.org/about/governance/congress-delegates/previous/2013/resolutions/resolution-504.mem.html>) **on the AAFP website for follow-up details.**

Resolution No. 503 from the 2011 COD (Substitute Adopted):

RESOLVED, That the American Academy of Family Physicians (AAFP) support policies and legislation that would require public and private insurance plans to provide coverage for family planning drugs and supplies that are FDA approved, including those for sale over-the-counter.

Please see Pages 258-262 in the 2011 Transactions

(https://www.aafp.org/content/dam/AAFP/documents/about_us/congress/restricted/2011/2011CongressofDelegatesTransactions.pdf) **for details.**

Please see Resolution No. 503 (<https://www.aafp.org/about/governance/congress-delegates/previous/2011/resolutions/resolution-503.mem.html>) **on the AAFP website for follow-up details.**

Prior Board Action

Approval of a recommendation from the Commission on Governmental Advocacy that the AAFP implement COD-adopted Resolution No. 502, entitled "Medicaid Coverage of Over-the-Counter Emergency Contraception" by recognizing the recent AAFP actions, and continue to work at the state and federal level to encourage Medicaid coverage of over-the-counter emergency contraception.

B2017, April 25-27, p. 32.

Approval a proposed sign-on letter to CMS in response to their request for information on Coverage for Contraceptive Services.

BC1:12016, September 28, p. 1.

Approval of a letter to CMS advocating full coverage of all FDA-approved contraceptive options for men and women of reproductive age who are eligible for Medicare and Medicaid in response to 2015 COD Resolution No. 303, "Access to all FDA-approved Contraception Methods for Medicare Patients.

BC1:12016 April 20, p. 1.

Approval of a recommendation from the Commission on Governmental Advocacy that the AAFP communicate with the appropriate agencies urging inclusion of male contraceptive services on the list of preventive services provided under the Affordable Care Act in support of 2014 COD Resolution No. 605, "Support for Vasectomy and Male Contraceptive Services" (Substitute adopted with title change)

B2015, April 28-30, p. 80.



ADD TO FAVORITES

Resolution No. 302 (Ohio A) - Contraception Coverage as Part of Minimum Benefits Package - - Congress of Delegates

<https://www.aafp.org/about/governance/congress-delegates/2019/resolutions2/ohio-a.mem.html>

Copyright © 2020 American Academy of Family Physicians. All rights reserved.

11400 Tomahawk Creek Parkway • Leawood, KS 66211-2680

800.274.2237 • 913.906.6000 • Fax: 913.906.6075 • aafp@aafp.org
