

Yet More on Health Care

Michael Sean Winters | Dec. 22, 2009 NCR Today

It is becoming increasingly clear to me that the Senate's language on abortion coverage in the health care reform effort is actually better than the Stupak language that passed the House.

The Stupak Amendment has the advantage of clarity: If you get a federal subsidy, you can't buy a plan that includes abortion coverage. The Stupak Amendment foresaw the likelihood of insurance companies offering "riders" for abortion coverage, to be purchased by individuals with their own funds. The Stupak Amendment was silent about plans purchased through the exchanges that are not subject to a federal subsidy. The chief actuary for the insurance companies said, however, that the pool of people would be too small to offer such coverage, which is what drove the pro-choice groups crazy. In the event, if the exchanges grow in popularity, as seems likely, that pool would increase in size and insurance companies would offer abortion services and nothing in Stupak prevented that.

The Senate language, on the other hand, requires that any plan offered in the exchange that covers abortion be required to receive a separate check from the individual for the abortion coverage. This applies not only to policies that get a subsidy but to those that do not as well. It seems that the "no federal funds" requirement is met, but in addition, plans paid for entirely with a person's own money also would need to comply with these abortion "riders." As the exchanges grow, anyone who participates in them would have to distinguish between funds for abortion and the rest of their health care coverage, not only those people who get the federal subsidy. In this sense, the Senate language actually goes further than Stupak.

It is, at this point, impossible to know whether abortion coverage will increase or not under the reform. And, it is also impossible to know what effect such an increase, or decrease, would have on the abortion rate itself. The Senate bill also includes most of the provisions of the Pregnant Women Support Act, providing support for women who decide to carry their child to term. I understand why the USCCB was so supportive of the Stupak Amendment but they should rethink their opposition to the Senate language. In one very significant regard, it is better than Stupak.

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