

Why the Affordable Care Act Matters for Women: Coverage of **Women's Preventive Services**, Including Contraception

March 2012

For generations, women have faced discrimination in health care. A number of provisions in the Affordable Care Act (ACA) aim to address this long-standing problem. One of these is the Women's Health Amendment, authored by Sen. Barbara Mikulski (D-MD), which specifies that the preventive services requirements in the ACA include preventive services for women. All care included under preventive health services must be offered without copays, deductibles or other cost-sharing.

Coverage of All Women's Preventive Health Services without Cost-Sharing

The ACA requires coverage of women's preventive services without cost-sharing. The law requires the Health Resources and Services Administration (HRSA) in the Department of Health and Human Services (HHS) to identify the services covered under this requirement.

HHS tasked an Institute of Medicine (IOM) Committee with determining which preventive services for women should be included. In July of 2011, the Committee released a detailed scientific report identifying eight categories of services that considered women's preventive services under the law:

- ▶ Screening for gestational diabetes;
- ▶ HPV co-testing as part of cervical cancer screening for women over age 30;
- ▶ Counseling on sexually transmitted infections;
- ▶ Counseling and screening for HIV;
- ▶ All Food and Drug Administration-approved contraceptive methods and supplies;

Why the ACA Matters for Women Fact Sheets

- ▶ [Summary of Key Provisions \(pdf\)](#)
- ▶ [Expanding Access to Health Insurance \(pdf\)](#)
- ▶ [Affordability and Choice in the Insurance Marketplace \(pdf\)](#)
- ▶ [Improving Health Care for Older Women \(pdf\)](#)
- ▶ [Improving Health Coverage for Lower-Income Women \(pdf\)](#)
- ▶ [Better Care for Pregnant Women and Mothers \(pdf\)](#)
- ▶ [Expanding Medicaid Family Planning Services \(pdf\)](#)
- ▶ [Preserving Access to Women's Health Clinics \(pdf\)](#)
- ▶ [Coverage of Women's Preventive Services, Including Contraception \(pdf\)](#)
- ▶ [Comprehensive Sex Education for Teens \(pdf\)](#)
- ▶ [Restrictions on Abortion Coverage \(pdf\)](#)

Also available at www.nationalpartnership.org/ACA

- ▶ Breast-feeding counseling and equipment;
- ▶ Screening and counseling to detect and prevent intimate partner violence; and
- ▶ Yearly well-woman preventive care visits to obtain recommended preventive services.

On August 1, 2011, HHS announced that it would adopt the IOM Committee's recommendations and incorporate these eight categories into HRSA guidelines. As a result, all new health plans must cover these services without cost-sharing.

Contraceptive Coverage and the Refusal Provision

HHS included a refusal provision in the regulation that allows certain religiously-based employers, specifically churches and houses of worship, to refuse to provide contraceptive coverage for their employees. This exemption includes more than 300,000 entities. Despite pressure to broaden this exemption, in early 2012, HHS announced that it was standing firm behind its commitment that women have access to contraception coverage with no additional costs.

- ▶ For religiously-affiliated institutions, HHS put into place an accommodation that allows those entities to opt out, but **requires insurance companies to fill the gap and provide the coverage directly to women at no cost.**
- ▶ In March 2012, HHS issued a preliminary rule implementing the accommodation for religious entities and providing options for self-insured plans. This rule fulfills the promise of contraceptive coverage with no additional cost for virtually all women, including students. At the same time, conservative members of Congress continue to try to advance legislation to allow more employers to refuse to provide contraceptive coverage and coverage of other services they oppose, undermining the promise of the ACA.

For more information on religious refusals, see the National Partnership fact sheet “[Access Denied: How Refusal Clauses Hurt Women’s Health.](#)”

The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care and policies that help women and men meet the dual demands of work and family. More information is available at www.NationalPartnership.org.

© 2012 National Partnership for Women & Families. All rights reserved.