



Comprehensive Contraception Coverage Act (S.3668-Bonacic/A.1378-Cahill) (A.9957-Cahill)

Memorandum of Opposition

New York State Attorney General Eric Schneiderman's Comprehensive Contraception Coverage Act (CCCA) (Bill S.3668-Bonacic/A.1378-Cahill) (A.9957-Cahill) would require all group insurance policies issued or renewed after January 1, 2018 to cover abortion-causing drugs, voluntary sterilization procedures, and all other FDA-approved contraceptive devices without restrictions, copays, or cost sharing. This bill would apply not only to insurance enrollees, but also to the covered spouses, domestic partners, and dependents of those enrollees. The bill even requires that insurance companies "allow for the dispensing of twelve [months'] worth of a contraceptive at one time." Attorney General Schneiderman's proposal is wrong-headed on multiple fronts; the CCCA is disrespectful of human life, and it would exacerbate existing flaws in New York insurance law regarding conscience protections for faith-based charities.

The CCCA displays callous disregard for human life by including a requirement that New York's employers provide no-cost coverage of abortion-causing drugs. Research demonstrates that so-called "emergency contraception" does not always function in the way that its name would indicate; rather, it sometimes causes the death of an embryo.¹ It is deeply disturbing that abortion-causing drugs have been made widely available; expanding insurance coverage for them is unacceptable.

Existing New York law requires prescription health plans to include coverage of birth control. While state law does include an exemption for some religious employers, that exemption does not include faith-based charities or small, family-owned businesses with moral objections to providing insurance that covers birth control and/or abortifacients. The CCCA would build upon this flawed foundation by forcing these same employers to cover abortion-causing drugs. Thus, the CCCA would infringe upon religious liberty in a manner that is uncomfortably reminiscent of the Obamacare insurance mandate, which has resulted in numerous legal challenges.

New Yorkers for Constitutional Freedoms urges Members of the New York State Legislature to vote against the Comprehensive Contraception Coverage Act.

¹ See <http://www.lozierinstitute.org/emergencycontraceptives>, last accessed January 16, 2017.