

Abortion is Not Health Care': Members of Congress Speak Out Against Proposed Abortion Billing Rule

The senators accused the rule of being an attempt to “increase taxpayer funding for abortion on demand, to the financial benefit of Planned Parenthood and the abortion industry.”

U.S. Capitol building in Washington, D.C. (photo: Unsplash)

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WASHINGTON — More than 25 Republican senators wrote to the Biden administration this week warning that a proposed rule would allow federal dollars to subsidize abortion coverage. “Abortion is not health care, and American taxpayers should not be forced to subsidize it,” the senators said in the letter. **The members included Sens. Marco Rubio, R-Fla., Cindy Hyde-Smith, R-Miss., and Steve Daines, R-Mont., chair of the Senate Pro-Life Caucus.**



Under the 2010 Affordable Care Act, insurance providers of “qualified health plans” [QHP] on the exchanges had to collect separate premium payments for elective abortion coverage, to ensure federal subsidies did not pay for abortions. The rule was meant to implement the Hyde Amendment, federal policy since 1976 which prohibits funding of abortions in Medicaid.

However, a 2014 Government Accountability Office report found that many insurers were not properly separating billing of abortion coverage from coverage of other drugs and procedures in the plans.

In 2019, the Trump administration required health plans under the Affordable Care Act to have separate billing and separate accounts for elective abortion coverage premiums. Three federal courts halted the rule from going into effect.

The proposed rule-change of the Biden administration would allow abortion coverage to be billed together with other items, in insurance plans on exchanges under the Affordable Care Act. The new proposed rule, published on July 1, would require only a single bill and payment of federally-covered services, including abortion coverage.

Some pro-life leaders have warned for years of the possibility of federal dollars subsidizing abortion coverage in these plans, if the billing is not done separately.

“The Biden administration’s proposed rule would prop the door wide open for Obamacare insurance plans to use taxpayer funds to cover abortions—a move that violates federal law,” said Matt Bowman, senior counsel with the legal group Alliance Defending Freedom, on Wednesday.

“In construing ‘separate’ to mean ‘together,’ the Proposed Rule would illegally allow insurance companies to collect combined payments for elective abortion coverage, rather than separate payments as the law requires,” the senators said.

The senators noted that this rule would “undermine consumer transparency” and could potentially result in consumers “pay(ing) for abortions in violation of their consciences or religious beliefs.”

The senators accused the rule of being an attempt to “increase taxpayer funding for abortion on demand, to the financial benefit of Planned Parenthood and the abortion industry.”

Planned Parenthood is the nation’s largest chain of abortion providers.

“Separate billing requirements for healthcare plans are the best way to ensure that popular laws preventing tax-funded elective abortion are respected,” Bowman said.

The other senators who signed the July 28 letter were: Senators Mike Rounds, R-S.D., Roger Wicker, R-Miss., James Lankford, R-Okla., Jerry Moran, R-Kan., John Boozman, R-Ark., Joni Ernst, R-Iowa, Cynthia Lummis, R-Wyo., James Inhofe, R-Okla., Mike Braun, R-Ind., Ben Sasse, R-Neb., Deb Fischer, R-Neb., Ted Cruz, R-Texas, Jim Risch, R-Idaho, John Thune, R-S.D., Marsha Blackburn, R-Tenn., Todd Young, R-Ind., Josh Hawley, R-Mo., John Cornyn, R-Texas, John Hoeven, R-N.D., John Barrasso, R-Wyo., Roger Marshall, R-Kan., Tom Cotton, R-Ark., and Bill Hagerty, R-Tenn..