

News Brief

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Biden Administration Warns That Insurers Must Still Cover Birth Control

The Biden administration warned U.S. businesses and health insurance providers that limiting coverage of contraceptives after a U.S. Supreme Court ruling that overturned the constitutional right to abortion would violate federal law.

The U.S. Department of Health and Human Services and the Departments of Labor and Treasury issued [guidance](#) clarifying that the Affordable Care Act (ACA) requires most private insurance plans to provide birth control and family-planning counseling to insured individuals and their dependents at no additional cost. This guidance was issued after the agencies noticed an influx of complaints from women who have been denied coverage for birth control since the Supreme Court's ruling in June.

“If plans and issuers are not complying with the law, we will take enforcement action to ensure that participants receive this coverage, again with no cost sharing.”

- Marty Walsh, Department of Labor secretary

The ACA guarantees coverage of women's preventive services and contraception, including but not limited to:

- Hormonal methods (e.g., birth control pills)
- Implanted devices (e.g., IUDs)
- Emergency contraception
- Barrier methods (e.g., diaphragms)
- Patient education and counseling
- Sterilization procedures

What's Next?

About half of U.S. states have banned, limited or are expected to ban or curtail abortions due to the court's ruling, and some may also move to restrict access to birth control. However, as made clear by this guidance, plans and issuers that fail to provide coverage for contraceptives may be subject to potential enforcement action.

We'll keep you apprised of any notable developments.

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