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MEMORANDUM

TO: Senate Banking and Insurance Committee

FROM: Andy Hoover, Legislative Director, ACLU of Pennsylvania

DATE: January 24, 2011

RE: OPPOSITION TO SENATE BILL 3

Late this afternoon, the Senate Banking and Insurance Committee gave public notice that it will consider Senate Bill 3 at Tuesday's committee meeting at 12:30pm. This legislation would prohibit insurance companies from offering coverage for abortion services to patients, with few exceptions, in the medical exchanges created by healthcare reform. SB 3 denies women access to safe, legal, and critical care and denies the right of a private customer to engage in a transaction with a private insurance company without government interference. The American Civil Liberties Union of Pennsylvania opposes SB 3, and on behalf of the 18,000 members of the ACLU of Pennsylvania, I urge you to please vote "no" on this legislation.

Currently, women generally have access to abortion coverage with private insurance companies. Approximately 80 percent of insurance plans cover abortion services. Senate Bill 3 is a step backwards for women's healthcare. Women participating in the medical exchanges will be in a variety of circumstances, and they should not be penalized for being in situations that will lead them to participate in the exchanges. All women deserve the peace of mind of knowing that they can get the health coverage they need when they need it.

When it debated healthcare reform, Congress wrestled with and settled the question of abortion coverage. Under the Affordable Care Act, women who participate in the medical exchanges can only pay for abortion coverage with their own money and must send a separate payment for the coverage. Congress came to this conclusion after concerns were raised by Senator Ben Nelson, an opponent of reproductive rights.

The debate over healthcare reform was vigorous and impassioned, and the opponents of the legislation raised concerns about government intervention into healthcare. That's why it is so surprising that the committee is eager to take up this issue. SB 3 is government activism of the worst kind in which government tells a private company what products it can offer and limits the consumer choices of a private customer.

Senate Bill 3 is a step backwards for women's health. Please vote "no" on SB 3.