



Joint Committee on Financial Services

October 3, 2017

Testimony of Attorney General Maura Healey

(As prepared for delivery)

Good morning, Chairman Eldridge, Chairman Michlewitz, and members of the Committee. Thank you for the opportunity to testify before you today.

I'm here to express my support for S.499 and H. 536, *An Act Relative to Advancing Contraceptive Coverage and Economic Security in our State*, the Contraceptive ACCESS bill.

I am glad to be here today with the lead sponsors of this legislation, Senator Chandler and Representatives Haddad and Scibak. Thank you for your leadership on this important issue.

Contraception is basic preventative health care used by almost all women at some point during their lives.

The ability to plan if and when to start a family, and its size, plays a critical role in helping women shape their personal and professional future. It allows women to better care for themselves and their families, complete their education and achieve economic security.

At the federal level, the Affordable Care Act guarantees women access to contraceptives without a co-pay. We've seen the impact that has had.

More than 55 million women in the United States, including 1.4 million in Massachusetts, have access to birth control with no out-of-pocket costs thanks to the ACA and its implementing regulations.

A recent study by the Health Policy Commission found a 34% increase in the number of women in Massachusetts using the long-acting reversible contraceptive known as an IUD. This suggests that the greater affordability provided by the ACA has enabled women to access more effective and reliable methods of contraception.

But we know that access is under threat.

The Trump administration and Republicans in Congress have fought hard for repeal of the ACA.

Even if the ACA survives, the administration could change the implementing regulations at any time to effectively gut the contraceptive coverage requirement.

We have already seen a draft of a far-reaching proposed rule that would allow employers to essentially opt out of providing this coverage for their employees. We are watching these developments closely.

With so much uncertainty, we must do everything we can to protect women's access to affordable birth control here in Massachusetts.

The compromise language before the Committee is the product of a collaboration between insurers and advocates coming together to do just that.

This bill would require coverage without cost-sharing for all unique forms of FDA-approved contraceptives. This would ensure that plans in Massachusetts continue to provide coverage for a wide range of contraceptives—regardless of what happens at the federal level. And allow them to do so in a cost effective way.

This bill also helps ensure that every woman is able to access the no-cost birth control option that is right for her. And that is a decision made by the woman and her doctor—not her insurance company.

In addition, the bill allows for doctors to prescribe a 12-month supply of contraceptives that have been effective for a patient. This decreases the likelihood of inconsistent use, missing a dose, or skipping a month, all of which increase the chances of unintended pregnancy.

This bill also helps eliminate barriers to timely access to emergency contraceptives, such as Plan B, that will be made available over-the-counter without requiring a woman to get a prescription from her doctor in order for it to be covered by her insurance.

Whatever happens at the federal level, we need to make certain that we are putting in place the best possible protections here in Massachusetts.

This bill is an important step to ensuring that every woman—regardless of economic status—has affordable and reliable access to the birth control option that is best for her.

I hope that you will join me in supporting this important legislation and report it favorably from the Committee.

As always, my office stands ready to partner with you and provide any additional information that may be helpful as you move forward.

Thank you.