



Press Release

FOR IMMEDIATE RELEASE

COMMISSIONER'S OFFICE

No. 17-021

Contact: Lori Wing-Heier
Director, Division of Insurance
(907) 465-2515
lori.wing-heier@alaska.gov

Federal Changes Regarding Religions Exemptions and Accommodations Announced

October 10, 2017 JUNEAU- Today, the United States Department of Health and Human Services (HHS), Internal Revenue Service, and Employee Benefits Security Administration filed two interim final rules providing a broader exemption from the Affordable Care Act (ACA) female contraceptive coverage mandate. Under the ACA, health care insurers are required to cover the cost of at least one form of the 18 FDA-approved methods of birth control for women at no out-of-pocket cost to the consumer. Exceptions established during the Obama Administration included church and religious organizations along with closely held for-profit corporations; the new exemption rule allows all plan sponsors to deny contraceptive coverage on religious and moral grounds. Higher education institutions, such as universities, are also included in today's announcement.

Affected consumers may still obtain contraceptives at zero cost sharing under an optional accommodation process by which an exempt employer notifies HHS of their objection and HHS notifies the insurer of the need for the insurer to provide no cost contraceptive coverage funded through adjustments to federal controls placed on health care insurers under the ACA.

The division expects this announcement to have very little impact on Alaska consumers. However, Alaskans concerned about contraceptive coverage and cost sharing may wish to reach out to their employer or insurer to determine whether any change in coverage is expected. Alaska law requires that insurers provide at least 45 days' notice prior to any change in benefits.

The interim final rules are effective October 6, 2017, and the sponsoring agencies are seeking public comment by December 5, 2017. The interim rules, which include instructions to submit comments, may be found at the following web addresses:

<https://www.federalregister.gov/documents/2017/10/13/2017-21851/religious-exemptions-and-accommodations-for-coverage-of-certain-preventive-services-under-the>

<https://www.federalregister.gov/documents/2017/10/13/2017-21852/moral-exemptions-and-accommodations-for-coverage-of-certain-preventive-services-under-the-affordable>

The Division of Insurance, along with the Division of Banking and Securities, the Division of Corporations, Business and Professional Licensing, the Alcohol and Marijuana Control Office, and the Regulatory Commission of Alaska, is an agency housed within the Alaska State Department of Commerce, Community and Economic Development tasked with protecting consumers in Alaska. For additional information about the division, please visit insurance.alaska.gov. For additional information about the Department of Commerce, Community, and Economic Development and its other agencies, please visit commerce.alaska.gov.

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