

Date: November 21, 2018

Subject: Frequently Asked Questions for Agents, Brokers, and Assistors Providing Consumers with Details on Plan Coverage of Certain Abortion Services

Q1: How can a consumer interested in information on whether a qualified health plan (QHP) covers certain abortion services find this information when shopping for a QHP?

A1: Agents, brokers, and assistors can help consumers looking for more information on coverage of certain abortion services by reviewing and directing consumers to the “Other Services” category available under the QHP plan details on HealthCare.gov. This “Other Services” category will indicate whether the QHP covers certain abortion services for which federal funding is prohibited (non-Hyde abortion services). If the QHP covers non-Hyde abortion services, an “Abortion services” category of coverage will be listed under “Other Services”, and the plan details will indicate that the QHP “Provides coverage for abortion services that can't be paid for by federal funding.” If “Abortion services” is not listed as a category of coverage under “Other Services” the QHP does not offer coverage for non-Hyde abortion services. If consumers search for information on abortion coverage, they can also see information about services and how to find out if a plan includes coverage for certain abortion services (see <https://www.healthcare.gov/glossary/abortion-services/>).

Q2: Where is the “Other Services” category located on HealthCare.gov?

A2: Consumers, agents, brokers, and assistors can view coverage information by clicking on “Details” on any individual QHP displayed for the consumer in their plan results. Upon selecting “Details” for the desired QHP, the consumer, agent, broker, or assister can scroll to the bottom of the Plan Details page and locate the “Other Services” category where coverage information is available if non-Hyde abortion services are covered by the plan.

Q3: What qualifies as non-Hyde abortion coverage?

A3: Non-Hyde abortion coverage refers to abortion coverage for which federal funding is prohibited pursuant to the Hyde Amendment.¹ The Hyde Amendment as currently in effect permits federal funds to be used for abortion services only in the limited cases of rape, incest, or if a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Any QHP that covers abortion services in instances beyond those limited circumstances is considered to be a QHP that covers non-Hyde abortion services. QHP issuers that offer coverage

¹ Since 1976, the Congress has included language restricting federal funds from being used to cover certain abortions, commonly known as the Hyde Amendment based on the sponsor of the original version, in the Labor, Health and Human Services, Education and Related Agencies appropriations legislation. While the specific language has varied from year to year, a version of the Hyde Amendment has been in place continuously since 1976, even though it is not permanent Federal law, but applies only to the extent reenacted by Congress, with or without amendments, in appropriations legislation.

for non-Hyde abortion services may not use premium tax credits (including advance payments of the premium tax credit) or cost-sharing reductions to pay for non-Hyde abortion services.

Q4: If a consumer is interested in enrolling in a plan that includes coverage for non-Hyde abortion services, or is interested in enrolling in a plan that does not cover such services, is there a way to sort plans for consumers based on this preference?

A4: At this time, the best way for agents, brokers, and assisters to help consumers select a plan that fits their preferences for coverage of non-Hyde abortion services is by reviewing the “Other Services” category under the plan details for the plans displayed as available for that consumer.