

Governor Phil Murphy

ICYMI: NJ Department of Banking and Insurance Announces Abortion Coverage Requirements for 2023 Plan Year

12/30/2022

TRENTON – Following votes by the boards of both the Individual Health Coverage Program and the Small Employer Health Benefits Program, the New Jersey Department of Banking and Insurance today announced that requirements for comprehensive abortion coverage among insurers in the individual and small employer markets will take effect for the start of the 2023 plan year on January 1, 2023.

The department issued a study (https://urldefense.com/v3/_https://t.e2ma.net/click/be7xri/nrddit/3vbjm1__!!J30X0ZmC1oQtbA!NzasBbj3Z6_DFXdxjMpDl21kq_Lwu7s8DRdRLZ5cHL4I9v1OWGqcalr5rmuTvUorjHdIgbQ) last month that found a need for regulatory action to require coverage for abortion services without exceptions under health benefits plans regulated by the department. The study was performed as part of the implementation of the historic Freedom of Reproductive Choice Act (https://urldefense.com/v3/_https://t.e2ma.net/click/be7xri/nrddit/jocjm1__!!J30X0ZmC1oQtbA!NzasBbj3Z6_DFXdxjMpDl21kq_Lwu7s8DRdRLZ5cHL4I9v1OWGqcalr5rmuTvUorjHdIgbQ) signed by Governor Phil Murphy earlier this year.

At the department's request, the Individual Health Coverage Program and the Small Employer Health Benefits Program boards began the process last month to implement coverage changes and the boards voted unanimously yesterday to formally accept the changes.

"The department is grateful for the boards' action to implement these important measures in time for the beginning of plan year 2023," **said Commissioner Marlene Caride**. "Adoption of these changes will reduce barriers and expand access to comprehensive reproductive health care in the new year."

The department regulates the individual market, which includes plans offered through Get Covered New Jersey, the State's official Health Insurance Marketplace, and off the marketplace, the small employer market, and the large employer market. The changes approved by the boards will affect the individual and small employer markets. The requirement would take effect in the large employer market after the rules process under the Administrative Procedure Act is completed in 2023.

As part of its study pursuant to the Freedom of Reproductive Choice Act (https://urldefense.com/v3/_https://t.e2ma.net/click/be7xri/nrddit/zgdjm1__!!J30X0ZmC1oQtbA!NzasBbj3Z6_DFXdxjMpDl21kq_Lwu7s8DRdRLZ5cHL4I9v1OWGqcalr5rmuTvUorjHdIgbQ) the department requested specific information and conducted an analysis of available data on the cost and possible impacts to insurance coverage if coverage for abortion was required in the regulated markets. Carriers in the individual and small employer markets in New Jersey were asked to provide the impact of covering abortion without exception as part of their 2023 rate filings. Carriers estimated a range of zero impact to .1% of premium. Therefore, enacting an abortion coverage requirement would not be expected to materially impact insurance rates in the regulated markets.

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