



the campaign to prevent unplanned pregnancy

For Immediate Release
July 29, 2022

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Updated HHS Guidance Reaffirms the ACA’s Contraceptive Coverage Requirements for Health Insurance Providers

(Washington, D.C.) The U.S. Department of Health & Human Services (HHS) released [updated guidance](#) in response to mounting evidence – including [a recent report from Power to Decide](#) – that health insurance companies have been failing to provide coverage for the full range of birth control options with no out-of-pocket expense, as required under the Affordable Care Act (ACA).

The updated guidance from HHS reaffirms several important standards outlined in the ACA, including the requirement that health insurance companies provide a transparent and easy-to-use exceptions process to help patients get coverage of the contraceptive method that works for them in cases when it is not typically covered by their plan.

In May, Power to Decide released "[When Your Birth Control Isn’t Covered: Health Plan Non-Compliance with the Federal Contraceptive Coverage Requirement](#)," which included an extensive review and "secret shopper"-style survey of 42 health plans, covering millions of people across more than 35 states. Researchers for this report concluded that only two out of the 42 had an acceptable exceptions process in place. Among the others, what information was available was often vague, incorrect, or otherwise fell short of the ACA’s requirements. For 18 of the plans, researchers could find no mention at all of an exceptions process for contraception or other preventive services.

"This new guidance from HHS was unfortunately a necessary response to the ongoing problem of health insurance companies failing to comply with the ACA’s birth control benefit, disproportionately harming historically marginalized communities and those struggling to make ends meet," said Power to Decide Vice President of Policy Rachel Fey. "We hope that it serves as an important reminder to health insurance companies, that people across the country rely on contraceptive coverage to protect their reproductive health and well-being.

"We applaud HHS and the Biden administration for taking this important step toward reaching the goal of ensuring everyone has access to the contraceptive care they need and urge them to take enforcement steps as necessary to ensure adherence to this guidance."

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[Power to Decide](#) is a private, non-partisan, non-profit organization that works to ensure all people—no matter who they are, where they live, or what their economic status might be—have the power to decide if, when and under what circumstances to get pregnant or have a child