SENATE RESOLUTION No. 57

STATE OF NEW JERSEY

215th LEGISLATURE

INTRODUCED MARCH 15, 2012

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)
Senator BARBARA BUONO
District 18 (Middlesex)

Co-Sponsored by:
Senator Gill

SYNOPSIS

Expresses support of federal policy that accommodates religious employers regarding contraceptive services required to be covered under federal “Patient Protection and Affordable Care Act.”

CURRENT VERSION OF TEXT

As introduced.
A SENATE RESOLUTION commending the policy announced by
President Obama on February 10, 2012 that accommodates
religious employers who oppose providing coverage for
contraceptive services, as required by the “Patient Protection and
Affordable Care Act.”

WHEREAS, The federal “Patient Protection and Affordable Care Act,”
Pub.L. 111-148, (the Act) was enacted on March 23, 2010 and was
amended by the federal “Health Care and Education Reconciliation
Act of 2010,” Pub.L. 111-152, enacted on March 30, 2010; and
WHEREAS, Section 2713 of the Act requires that group health plans
and health insurers provide coverage for various preventive health
care services without imposing any co-payments, co-insurance, or
deductibles; and
WHEREAS, Section 2713 of the Act identified various preventive
health care services that must be provided without the imposition of
patient cost-sharing, but the federal Department of Health and
Human Services (HHS) was directed to further develop
comprehensive guidelines for preventive care and screenings with
respect to women; and
WHEREAS, For purposes of developing these comprehensive
guidelines, HHS commissioned the Institute of Medicine (IOM) to
identify critical gaps in preventive health care services for women;
and
WHEREAS, In July 2011, IOM recommended that eight preventive
health care services be required to be covered under the Act without
cost-sharing, including all federally-approved, prescribed
contraceptives for women as well as patient education and
counseling for all women with reproductive capacity; and
WHEREAS, In support of its recommendation, IOM noted that almost
half of the pregnancies in the United States in 2001 were
unintended and that women with unintended pregnancies are more
likely to receive delayed or no prenatal care, and to smoke,
consume alcohol, be depressed, and experience domestic violence
during pregnancy; and
WHEREAS, IOM further noted that unintended pregnancies increase
the risk of preterm births and low birth weights, both of which raise
the chances of health problems and developmental disabilities; and
WHEREAS, In August 2011, HHS adopted guidelines, based on the
recommendations of IOM, to require coverage for contraceptive
services without cost-sharing for policies with plan years beginning
on or after August 1, 2012; and
WHEREAS, For several years, New Jersey has, along with more than
two dozen other states, required insurers to provide coverage for
contraceptive services and is among the majority of those states that
provide an exemption to religious employers, and HHS sought to
similarly accommodate religious employers; and
WHEREAS, In February 2012, President Obama announced that HHS would implement a policy that will ensure the health of women who work for religious employers that object to providing contraceptive services as part of their health plans by requiring instead that their insurers directly offer the coverage for the contraceptive services free of charge; and
WHEREAS, New Jersey has for several years recognized the importance of requiring insurers to provide coverage for contraceptive services, and thus it is appropriate to express support for the policy announced on February 10, 2012 that similarly will protect both women’s health and the liberty of religious employers, because important preventive health care services will be provided to the many female employees of religious institutions who practice faiths other than those of their employers, and will further benefit the children of those employees who received appropriate preventive health care; now, therefore,

BE IT RESOLVED by the Senate of the State of New Jersey:

1. The Senate commends the President of the United States for announcing on February 10, 2012 a policy that accommodates religious employers that oppose contraceptive services, which are required to be provided, without cost sharing, pursuant to the “Patient Protection and Affordable Care Act,” Pub.L. 111-148, as amended by the “Health Care and Education Reconciliation Act of 2010,” Pub.L. 111-152.

2. Duly authenticated copies of this resolution, signed by the President of the Senate and attested by the Secretary of the Senate, shall be transmitted to the President of the United States, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from the State of New Jersey, and the Secretary of Health and Human Services.

STATEMENT

This resolution expresses the support of the Senate for the policy announced by President Obama on February 10, 2012 that accommodates religious employers with objections to the requirement that coverage for contraceptive services for women be provided, pursuant to the “Patient Protection and Affordable Care Act,” Pub.L. 111-148, as amended by the federal “Health Care and Education Reconciliation Act of 2010,” Pub.L. 111-152. President Obama announced that religious employers with such objections would be exempt from the requirement and that their insurers would directly offer employees these services free of charge.