

**SENATE RESOLUTION No. 57**

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**STATE OF NEW JERSEY**

**215th LEGISLATURE**

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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.



**(Sponsorship Updated As Of: 3/16/2012)**

1   **A SENATE RESOLUTION** commending the policy announced by  
2   President Obama on February 10, 2012 that accommodates  
3   religious employers who oppose providing coverage for  
4   contraceptive services, as required by the “Patient Protection and  
5   Affordable Care Act.”  
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7   **WHEREAS**, The federal “Patient Protection and Affordable Care Act,”  
8   Pub.L. 111-148, (the Act) was enacted on March 23, 2010 and was  
9   amended by the federal “Health Care and Education Reconciliation  
10   Act of 2010,” Pub.L. 111-152, enacted on March 30, 2010; and  
11   **WHEREAS**, Section 2713 of the Act requires that group health plans  
12   and health insurers provide coverage for various preventive health  
13   care services without imposing any co-payments, co-insurance, or  
14   deductibles; and  
15   **WHEREAS**, Section 2713 of the Act identified various preventive  
16   health care services that must be provided without the imposition of  
17   patient cost-sharing, but the federal Department of Health and  
18   Human Services (HHS) was directed to further develop  
19   comprehensive guidelines for preventive care and screenings with  
20   respect to women; and  
21   **WHEREAS**, For purposes of developing these comprehensive  
22   guidelines, HHS commissioned the Institute of Medicine (IOM) to  
23   identify critical gaps in preventive health care services for women;  
24   and  
25   **WHEREAS**, In July 2011, IOM recommended that eight preventive  
26   health care services be required to be covered under the Act without  
27   cost-sharing, including all federally-approved, prescribed  
28   contraceptives for women as well as patient education and  
29   counseling for all women with reproductive capacity; and  
30   **WHEREAS**, In support of its recommendation, IOM noted that almost  
31   half of the pregnancies in the United States in 2001 were  
32   unintended and that women with unintended pregnancies are more  
33   likely to receive delayed or no prenatal care, and to smoke,  
34   consume alcohol, be depressed, and experience domestic violence  
35   during pregnancy; and  
36   **WHEREAS**, IOM further noted that unintended pregnancies increase  
37   the risk of preterm births and low birth weights, both of which raise  
38   the chances of health problems and developmental disabilities; and  
39   **WHEREAS**, In August 2011, HHS adopted guidelines, based on the  
40   recommendations of IOM, to require coverage for contraceptive  
41   services without cost-sharing for policies with plan years beginning  
42   on or after August 1, 2012; and  
43   **WHEREAS**, For several years, New Jersey has, along with more than  
44   two dozen other states, required insurers to provide coverage for  
45   contraceptive services and is among the majority of those states that  
46   provide an exemption to religious employers, and HHS sought to  
47   similarly accommodate religious employers; and

1   **WHEREAS**, In February 2012, President Obama announced that HHS  
2       would implement a policy that will ensure the health of women who  
3       work for religious employers that object to providing contraceptive  
4       services as part of their health plans by requiring instead that their  
5       insurers directly offer the coverage for the contraceptive services  
6       free of charge; and

7   **WHEREAS**, New Jersey has for several years recognized the  
8       importance of requiring insurers to provide coverage for  
9       contraceptive services, and thus it is appropriate to express support  
10      for the policy announced on February 10, 2012 that similarly will  
11      protect both women’s health and the liberty of religious employers,  
12      because important preventive health care services will be provided  
13      to the many female employees of religious institutions who practice  
14      faiths other than those of their employers, and will further benefit  
15      the children of those employees who received appropriate  
16      preventive health care; now, therefore,

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

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20       1. The Senate commends the President of the United States for  
21      announcing on February 10, 2012 a policy that accommodates  
22      religious employers that oppose contraceptive services, which are  
23      required to be provided, without cost sharing, pursuant to the  
24      “Patient Protection and Affordable Care Act,” Pub.L. 111-148, as  
25      amended by the “Health Care and Education Reconciliation Act of  
26      2010,” Pub.L.111-152.

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

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STATEMENT

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