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GAO report confirms elective abortion coverage widespread in Obamacare exchange plans

WASHINGTON – A report by the Government Accountability Office (GAO), a nonpartisan investigatory arm of Congress, made public today, provides dismaying confirmation of [earlier predictions by National Right to Life](#) that federally subsidized abortion coverage would become a widespread feature of Obamacare. The report found that more than one thousand federally subsidized exchange plans currently cover elective abortion.

“It is no surprise that the Obama Administration is spending billions of taxpayer dollars subsidizing the purchase of health plans that cover abortion on demand,” said National Right to Life Legislative Director Douglas Johnson. **“Those really responsible for this scandal are the lawmakers, such as Mary Landrieu of Louisiana, Kay Hagan of North Carolina, Mark Begich of Alaska, and Mark Udall of Colorado, who voted against the pro-life amendment that would have prevented this massive federal funding of abortion-covering plans, as well as those who voted to enact the bill after the amendment was rejected, such as Mark Pryor of Arkansas.”**

The GAO report focused mainly on determining the prevalence of elective abortion coverage in health plans sold on the exchanges, in the 27 states plus D.C. that currently do not have laws in effect that restrict abortion coverage. The GAO found that on these 28 exchanges, 1,036 plans cover elective abortion while 1,062 do not. The Congressional Budget Office has estimated that between 2015 and 2024, \$726 *billion* will flow from the federal Treasury in direct subsidies for Obamacare health plans.

The Obamacare law was enacted in early 2010 despite objections from pro-life forces that it contained provisions that would result in massive federal subsidies to help scores of millions of Americans buy health plans that cover elective abortion. However, President Obama repeatedly insisted that [“no federal dollars will be used to fund abortions.”](#)

The GAO findings validate previous charges by National Right to Life that the federal taxpayer is subsidizing the purchase of abortion-covering plans on a massive scale. As *Politico* reported today, “The vast majority of people who bought coverage on the exchanges did so with subsidies. According to government figures, 87 percent of the 5.4 million people who bought a plan on HealthCare.gov in the last enrollment period did so with at least some subsidy.”

These massive subsidies for abortion-covering plans amount to a sharp break from decades of federal policy under the Hyde Amendment. The Hyde Amendment says that no federal funds “shall be expended for health benefits coverage that includes coverage of abortion,” but the Hyde Amendment does not apply to the Obamacare law. Attempts to include Hyde-like language in the Obamacare law were initially successful in the House but were ultimately blocked by President Obama and his allies in Congress. (For detailed discussion of the history of the Hyde Amendment and the sharp break from Hyde policy contained in Obamacare, see NRL congressional testimony here: <http://www.nrlc.org/uploads/ahc/ProtectLifeActDouglasJohnsonTestimony.pdf>)

The author of so-called “compromise” language that paved the way for enactment of the law, then-Sen. Ben Nelson (D-Nebraska), said in 2009 that “you have to write two checks: one for the basic policy and one for the additional coverage for abortion. The latter has to be entirely from personal funds.” [155 Cong. Rec. S14134 (Dec. 24, 2009)]. The Nelson “two check” system, previously given great credence by some journalistic “factcheckers,” turns out to be not merely a flimsy gimmick, but a vanished mirage. Although the GAO confirmed that the law requires “issuers to collect from each enrollee in a QHP [Qualified Health Plan] covering non-excepted [elective] abortion services a separate payment for coverage of these services,” the Obama Administration is not enforcing such a requirement. Not a single one of the 18 insurance companies that are selling abortion-covering plans, and that responded to the GAO, actually were collecting a separate payment from enrollees for elective abortion coverage.

Despite assurances that there would be plans available in each state that do not fund elective abortions, the GAO found that in five states – Connecticut, Hawaii, New Jersey, Rhode Island, and Vermont – every insurance plan currently sold on the exchange covers elective abortion. In addition, abortion-covering plans dominated the exchanges in California (96% cover elective abortion, 86 plans out of 90), Massachusetts (98%, 109 plans of 111), New York (95%, 405 plans of 426), and Oregon (90%, 92 plans of 102).

The House of Representatives has passed the No Taxpayer Funding for Abortion Act (H.R. 7), which would apply the traditional Hyde Amendment policy to all federal programs, including the Obamacare premium-subsidy program, and thereby limit federally subsidized plans to coverage of abortion in cases of rape, incest, or threat to the life of the mother. However, Senate Majority Leader Harry Reid (D-Nevada) has prevented Senate action on identical legislation.

Founded in 1968, the National Right to Life Committee (NRLC), the federation of 50 state right-to-life affiliates and more than 3,000 local chapters, is the nation's oldest and largest grassroots pro-life organization. Recognized as the flagship of the pro-life movement, NRLC works through legislation and education to protect innocent human life from abortion, infanticide, assisted suicide and euthanasia.

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