

**Yes on House Bill 1224**  
**“Prohibition of Gender-Based Rating in Individual Health Insurance”**

**Bill Summary**

As originally introduced, House Bill 1224 would prohibit health insurance carriers from using gender as a factor to determine rates for individual health insurance policies.

**Background Information**

- As of 2007, **18% of Colorado women had no health insurance.**<sup>i</sup>
- **More than 130,000 Colorado women aged 19-64 received health insurance through the individual market** in 2006-2007.<sup>ii</sup>
- **Women are more likely to have lower incomes than men, but have more health care costs and higher out-of-pocket expenses as a share of their income.** Nationally, the median earning for women aged 15 and older in 2004 was \$22,224, compared to \$32,486 for men.<sup>iii</sup> In Colorado, 11% of women live below the poverty level (2009 = \$10,830 for a family of 1; \$22,050 for a family of 4).<sup>iv</sup>
- Colorado women are required to undergo an annual exam to receive prescriptive contraception methods, including birth control pills, the Ring, injectibles and IUDs. Whether insured through an employer-sponsored plan or a plan purchased through the individual market, **preventive family planning, prenatal, delivery, and post-partum costs are not fully covered, if they are covered at all.**
- **Women insured through either employer-sponsored insurance or with an individual policy are more likely than men to spend more than 10% of their income on out-of-pocket costs and premiums.**<sup>v</sup>
- National civil rights laws prohibit gender-based discrimination in ratings for employer-provided health insurance plans subject to federal regulations. However, these non-discrimination laws do not apply to individual insurance markets regulated by the states. **Colorado women should not be denied protection from gender-based discrimination simply because they are not employed by a company that has to comply with federal non-discrimination statutes.**
- Twelve states already prohibit or restrict gender-based rating in the individual market: Washington, Oregon, Montana, North Dakota, Minnesota, Maine, Massachusetts, Vermont, New Hampshire, New Jersey, New Mexico and New York.<sup>vi</sup> In addition, the city of San Francisco notified the state of California in December 2008 of its intent to sue if the state's gender rating law is not repealed. A bill has since been introduced in the California Legislature to prohibit health insurers from gender rating in individual health care service plans and policies.<sup>vii</sup>

**Supporting Organizations**

9 to 5, National Association of Working Women – Colorado  
American Association of University Women of Colorado  
Denver Women's Commission  
NARAL Pro-Choice Colorado  
Planned Parenthood of the Rocky Mountains  
Women's Lobby of Colorado  
Women's Bar Association

<sup>i</sup> “National Report Card on Women’s Health: Colorado,” 2007, National Women’s Law Center, <http://hrc.nwlc.org/Reports/State-Report-Card.aspx?stateID=COLORADO>

<sup>ii</sup> “Colorado: Health Insurance Coverage of Women 19-64, states (2006-2007), U.S. (2007),” 2008, Kaiser Family Foundation, <http://www.statehealthfacts.org/profileind.jsp?ind=652&cat=3&rqn=7>

<sup>iii</sup> “Women and Health Coverage: The Affordability Gap,” April 2007, The Commonwealth Fund and the National Women’s Law Center, <http://www.nwlc.org/pdf/NWLCCommonwealthHealthInsuranceIssueBrief2007.pdf>

<sup>iv</sup> “National Report Card on Women’s Health: Colorado”

<sup>v</sup> “Women and Health Coverage: The Affordability Gap”

<sup>vi</sup> “Nowhere to Turn: How the Individual Health Insurance Market Fails Women,” October 2008, National Women’s Law Center, <http://action.nwlc.org/insurance>.

<sup>vii</sup> “Gender Discrimination in Individual Health Insurance Plans,” memorandum prepared for Rep. Sue Schafer by Colorado Legislative Council, January 2009.