

TESTIMONY ON 20- H 7171 ARTICLE 20, SECTIONS 8-12 AND 14
Healthcare Reform
July 15, 2020

This testimony is being submitted on behalf of the American Civil Liberties Union of Rhode Island; the League of Women Voters of Rhode Island; the National Council of Jewish Women, Rhode Island Chapter; Planned Parenthood of Southern New England; the Rhode Island Coalition Against Domestic Violence; the Rhode Island National Organization for Women; and the Women's Fund of Rhode Island.

The undersigned organizations appreciate the opportunity to comment on Article 20 of the FY 2021 budget, which would codify many critical provisions of the Affordable Care Act into Rhode Island law and ensure that regardless of any federal action undermining the ACA, Rhode Islanders can be assured that their healthcare is protected.

While we are supportive of the protections included in this Article, we believe there is another current ACA protection – a prohibition on gender rating in health insurance rates – that should also be incorporated in the final version of the budget.

Language within the ACA generally makes the setting of health insurance premiums based on gender illegal, contrary to current Rhode Island law which permits health insurance companies to engage in this discriminatory practice. Many of our neighbors – including Massachusetts, Vermont, New Hampshire, New York, and New Jersey – have long recognized that determination of health insurance rates on the basis of gender is archaic and inappropriate and have banned the practice of gender rating for years. Passage of this important protection into Rhode Island law would finally align our policy on this subject with those other states and would explicitly outlaw this practice notwithstanding any efforts to repeal or strike down the ACA.

Not only can gender rating inappropriately skew the financial burden of healthcare costs, but the continued inclusion of this practice within Rhode Island law is simply wrong as a matter of policy. Decades ago, after recognizing the thorough injustice of such a system, the health insurance industry voluntarily ended the practice of charging different rates to individuals based on their race. It is time to ensure that an individual's gender cannot be a factor in their ability to access equitable health insurance.

We encourage the inclusion of such a provision alongside the other important protections already contained within this Article. For guidance, we urge the Committee to reference H 7440, introduced by Representative Katherine Kazarian, and S 2125, introduced by Senator Susan Sosnowski and passed by the Senate unanimously earlier this session, which both seek to guarantee this exact protection in Rhode Island law. Like the other ACA-related provisions in Article 20, this protection against sex discrimination deserves to be codified into our state statutes.

Thank you for your consideration of this important matter.

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League of Women Voters of Rhode Island

National Council of Jewish Women, Rhode Island Chapter

Planned Parenthood of Southern New England

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