



The Colorado  
Health Foundation™

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[www.coloradohealth.org](http://www.coloradohealth.org)

November 13, 2017

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Re: 26 CFR Part 54

[TD-9827]

RIN 1545-BN92

DEPARTMENT OF LABOR

Employee Benefits Security Administration

Re: 29 CFR Part 2590

RIN 1210-AB83

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Re: 45 CFR Part 147

[CMS-9940-IFC]

RIN 0938-AT20

**Religious Exemptions and Coverage of Certain Preventive Services Under the Affordable Care Act**

Thank you for the opportunity to comment on the interim final rules package regarding “Religious Exemptions and Coverage of Certain Preventive Services Under the Affordable Care Act.” The Colorado Health Foundation is the state’s largest private foundation and works to bring health in reach to all Coloradans. Our vision is that across Colorado each of us can say: “We have all we need to live healthy lives.” We work to achieve this vision by engaging closely with communities across the state through investing, policy and advocacy, learning and capacity building.

After reviewing these interim final rules, we believe they would put health further out of reach for many Colorado women, their children and families if enacted, and we urge you to rescind the interim final rule package. The changes outlined in this proposal could reverse the tremendous progress Colorado has made in reducing both unintended pregnancies and abortions for Colorado teenagers and young women and create new barriers for women to access timely, affordable and comprehensive health care services.

Colorado has made significant improvements in the past decade to ensure affordable contraception and family planning services are within reach for more Colorado women. We have seen the benefits of this across the state: more babies are getting a healthy start in life, more women have access to the health





care services they need and more educational and economic opportunities are available for Colorado families as a result of these services. According to data from the Colorado Department of Public Health and Environment, since 2008, Colorado has seen significant benefits to expanding access to contraception and family planning services, including:

- The birth rate for young women ages 15-19 has been cut by more than half, falling 53 percent;
- A similar downward trend can be seen among women ages 20-24, with birth rates dropping 30 percent;
- The number of repeat teen births (teens giving birth for the second or third time) dropped by nearly two-thirds (63 percent);
- Births to women without a high school education fell 38 percent;
- The abortion rate among women ages 15-19 fell by 53 percent and among women ages 20-24 by 27 percent;
- The rate of rapid repeat births – which carries greater risk for women and their children – declined by 12 percent among all women;
- The average age for a first birth increase by 1.2 years among all women; and
- Other public health care costs avoided totaled more than \$66 million.

Current federal and state policies have contributed to these positive trends and continue to underpin any sustained progress we hope to realize. The interim final rules expanding exemptions for mandated contraceptive coverage would have a significant and negative impact on Colorado's progress to advancing women's health. If fewer women have access to the comprehensive coverage, data shows Colorado will experience increases in teenage and young adult birth rates and abortions.

The interim final rules expanding the exemption from the contraceptive coverage requirements to non-governmental plan sponsors, institutions of higher education, health plan issuers and individuals who object to the provision of contraceptive coverage on religious or moral grounds limit health care services accessed solely by women. As a result, the provisions in this interim final rule threaten to negatively impact the risk pool of the insurance market by permitting the creation of multiple, distinct risk pools that could make coverage more expensive for women. Distinct risk pools separating men and women, young and old, or healthy and sick works in the opposite direction of ensuring affordable access to care for all Americans.

Finally, the Colorado Health Foundation opposes the proposal to allow publicly traded corporations to claim an exemption to no-cost sharing contraceptive services for 'sincerely held moral convictions.' The



potential for abuse in use of this terminology is significant, and it could prevent women from having full access to the affordable comprehensive care they need to live healthy lives.

The Colorado Health Foundation works for all Coloradans, and the policy changes in this interim final rule would work against Colorado women and their families. As a state, Colorado has made impressive gains in reducing both teenage and young adult birthrates and abortions. This interim final rule would slow or reverse that progress. We encourage the Departments to maintain protections for the health of Colorado women by rejecting these proposed changes.

We appreciate your time and consideration. If you have any follow-up questions about these comments or the Colorado Health Foundation, please do not hesitate to contact Dustin Moyer, policy officer at the Colorado Health Foundation, at [dmoyer@coloradohealth.org](mailto:dmoyer@coloradohealth.org) or 303-953-3600.

Sincerely,

Senior Director of Policy  
The Colorado Health Foundation