SUPREME COURT REPRODUCTIVE RIGHTS DECISION: IMPACT ON EMPLOYERS

HR POLICY ASSOCIATION SURVEY RESULTS | JULY 2022

124 Responses | Survey open June 27–July 5, 2022

©2022 HR Policy Association | All rights reserved
MOST COMPANY INSURANCE PLANS ARE SELF-FUNDED

Q: Is your insurance plan self-funded or fully-insured?

94% Self-funded

6% Fully-insured
MOST HAVE EMPLOYEES IN STATES LIKELY TO TAKE ACTION

Q: Do you have employees in the following states likely to take action to restrict or ban abortion? (Please select all that apply.)

- Alabama: 54%
- Arizona: 52%
- Arkansas: 77%
- Florida: 61%
- Georgia: 47%
- Idaho: 47%
- Indiana: 43%
- Iowa: 38%
- Kentucky: 53%
- Louisiana: 59%
- Michigan: 66%
- Mississippi: 49%
- Missouri: 38%
- Montana: 57%
- Nebraska: 46%
- North Dakota: 43%
- Ohio: 65%
- Oklahoma: 49%
- South Carolina: 52%
- South Dakota: 46%
- Tennessee: 39%
- Texas: 90%
- Utah: 65%
- West Virginia: 52%
- Wisconsin: 46%
- Wyoming: 36%
- None of these: 1%
93% INCLUDE ABORTION COVERAGE UNDER AT LEAST SOME CIRCUMSTANCES

Q: Does your health plan include abortion coverage?

Plans providing abortion coverage under limited circumstances include those which are medically necessary, a result of rape or incest, if the life of the mother or fetus is in danger, and "therapeutic abortions" as recommended by providers. Some respondents’ main plans do cover the procedure, but their HMOs do not, and vice versa.
COMPANIES HAVE NO PLANS TO MODIFY COVERAGE

Q: If your plan does not already include coverage of abortion, do you plan to modify it to provide coverage in the next year?

Of the six companies whose plans do not cover or cover abortion only in limited circumstances, four (over two-thirds) report that they currently have no plans to modify abortion coverage.
TRAVEL AND LODGING COVERAGE VARIES

Q: Do you provide travel and/or lodging benefits to employees who need to travel for medical care?

- Yes, but only for travel to Centers of Excellence for covered procedures: 31%
- Yes, if covered procedures can’t be done within a certain distance of the employee (e.g., 100 miles) including abortion: 26%
- Yes, if covered procedures can’t be done within a certain distance of the employee (e.g., 100 miles) but specifically excluding abortion: 5%
- No, we do not provide travel and/or lodging benefits: 38%
Q: If you already provide travel and/or lodging benefits, how do you do so?

- Through the health plan, but outside the HSA or HRA: 68%
- Outside the health plan (for example, business travel reimbursement process): 13%
- Other: 13%
- Through the health plan’s HSA: 6%
- Through the health plan’s HRA: 0%

For those respondents with travel/lodging benefits, two-thirds report they are provided through the health plan, but outside HSAs/HRAs. “Other” responses include those provided by a dedicated travel/lodging benefit, employee relief funds, and through both HSAs and PPOs.
OVER TWO-THIRDS PLAN TO PROVIDE TRAVEL/LODGING BENEFITS

Q: If you do not currently provide travel and lodging benefits or only provide for travel to Centers of Excellence, are you considering providing these benefits to employees who need to travel for medical care, including abortion?

- Yes, but not sure when: 58%
- Yes, have already announced or will announce in next 30 days: 11%
- Yes, but ONLY for abortion (not other covered services): 3%
- No, we are not considering it: 28%

For respondents not currently providing travel/lodging benefits, 72% are either considering doing so or have already announced their intent to do so. 3% will provide benefits, but ONLY for abortion. 28% of respondents report that they are not considering providing travel/lodging benefits at this time.
COMMUNICATION IN THE WAKE OF THE SCOTUS DECISION

Q: What types of communications have you already implemented or are you considering in the wake of the SCOTUS decision? (Please select all that apply.)

- Internal communications such as emails, posts or letter from CEO: 62%
- Town halls or other group meetings: 9%
- External communications such as public post or statement: 5%
- No communications considered at this time: 26%
- Other: 17%

**NOTE:** Respondents could select more than one choice; totals may not equal 100%.
COMMUNICATION IN THE WAKE OF THE SCOTUS DECISION

Q: What types of communications have you already implemented or are you considering in the wake of the SCOTUS decision? (Please select all that apply.)

“Other” responses:

- We would communicate any benefit changes internally
- Corporate provided talking points and facilities are used as needed
- Internal communication from CHRO
- Internal statement from CHRO
- Targeted communications for our HR business partners
- The company prefers to avoid taking a position on political or social issues, in many cases our associate population is divided on such matters.
- Internal message to US employees from CHRO
- Leadership guidance and talking points, no published statement to date
- Communication with senior leaders and HR only at this time
- We are not providing a travel benefit under the insurance plan. Instead, we announced our intent to provide a reimbursement benefit to pay for travel expenses, relocation expenses, and legal fees associated with healthcare services restricted by state laws (this would include gender-affirming as well). We will provide up to $25k/lifetime limit.
- Communications are in draft and will include an email to our US employees from our CHRO or CEO

- We are evaluating
- Couple of listening sessions hosted by our WIN group
- Women’s Associate Resource Group Community Forums
- Prepared response in case we get an inquiry
- We’ve communicated proactively health care access to both reproductive rights/gender dysphoria and affirmation through our travel assistance (up to 10K)
- Listening sessions with Woman ERG
- Internal communication stating our change to policy to cover travel for all covered medical procedures not available within 100 miles - from Chief People Office & Chief DEI Officer
- No proactive statement. Reactive statements prepared in the event of questions from employees or others.
- Still under evaluation
EMPLOYERS FOCUS ON EQUAL ACCESS, COMPANY VALUES

Q: If you plan to or are already communicating, what is/will be the focus of your communications? *(Please select all that apply.)*

- 67% Equal access to healthcare, regardless of location
- 60% Aligning with company purpose and/or values
- 26% Education re: benefits the company provides to assist those who need abortions but live in a state where they will be unavailable
- 16% Other

Most respondents report a focus on equal access to care, regardless of location and making sure their communications are in line with company values. 26% will also focus on education regarding benefits they provide to employees who live in states where abortion is illegal.

NOTE: Respondents could select more than one choice; totals may not equal 100%
EMPLOYERS FOCUS ON EQUAL ACCESS, COMPANY VALUES

Q: What will be the focus of your communications?

“Other” responses:

- Recognizing the Supreme Court’s decision and this may impact employees differently, with a focus on dignity and respect in the workplace
- Access to safe, affordable, quality of medical care
- Also, said that we "encourage our employees to exercise your civic responsibility and vote. We each have a voice, and we encourage you to use your voice to have a say on issues that matter to you – regardless of where you stand on those issues."
- Access to healthcare information
- We already provide travel benefits for medical benefits for cancer treatments and transplants. So it does exclude abortion right now but also other medical procedures. We haven't communicated the change yet, but we are going to expand it to include covered medical procedures (and our benefits cover abortion).
- Providing references to available resources
- Support for employees including resources, benefits education
- Recognize employee interest, empathetic to the situation, balanced message with focus on our support for employees
- If we decide to reimburse for medical-related travel expenses outside of our insurance plan, we would approach it holistically and not limit it to abortion related services.
- Alignment with comprehensive benefits and coverage where options are limited, including travel coverage for all covered services (not just abortions). We will not provide political commentary or further describe abortion benefits, but instead encourage employees to contact our medical carrier with any questions about coverage. Will encourage employees to be respectful of varying personal views on this subject.
- TBD...
- Letting employees know we are monitoring this evolving matter
- Reproductive health focus, including fertility and abortion - travel reimbursement as needed for quality care not provided locally
- Support resources