



Mobilize for Reproductive Justice: The Issues

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THE AFFORDABLE CARE ACT & REPRODUCTIVE HEALTH

THE ACA IS A WOMEN'S ISSUE

Though conservative lawmakers are advocating to repeal of the Affordable Care Act (ACA), this would leave 23 million without insurance coverage and result in an estimated 43,000 deaths annually. The GOP has had their sights set on repealing the ACA since 2010, and with Trump's support they have a clear path to disrupt ACA protections such as coverage for pre-existing conditions, expansion of Medicaid coverage for low-income people, and subsidies for those not eligible for Medicaid.

The repeal disproportionately impacts low-income women who rely on the ACA for their holistic healthcare needs. According to the Center for American Progress, approximately 9.5 million women who were previously uninsured have gained health coverage through the ACA and 55 million women now have access to vital preventive care without copays or deductibles. These services include: annual exams, contraception, screening for sexually transmitted infections, and counseling for domestic and intimate partner violence. For the first time, the ACA made it illegal for federally funded health insurance providers to discriminate based on sex, race, national origin, and ability.



THE ACA & PLANNED PARENTHOOD DEFUNDING

By manipulating the budget appropriations process as well as the ACA repeal process, Congress intends to defund Planned Parenthood. Planned Parenthood receives federal funds primarily through the Title X family planning program and Medicaid reimbursements. By eliminating these federal funding mechanisms, Planned Parenthood will have to cut vital healthcare services such as mammograms, prenatal care, and birth control. Planned Parenthood predominantly serves low-income women, women of color, young women, and immigrant women; these communities will be disproportionately impacted by GOP efforts to eliminate women's healthcare choices.



THE ACA & BIRTH CONTROL

The ACA covers all FDA approved birth control methods prescribed by a doctor. These include: diaphragms and sponges, birth control pills, vaginal rings, intrauterine devices (IUDs), and emergency contraception such as Plan B®. If the ACA is repealed, many women will have to pay out of pocket for birth control, making it less accessible and costlier. Every year, the ACA saves women 1.4 billion dollars in birth control copays.

HOW THE AHCA HURTS WOMEN

The American Health Care Act not only seeks to strip access to affordable birth control, but also to limit affordable access to annual exams, contraception, screening for sexually transmitted infections, and counseling for domestic and intimate partner violence. These provisions are part of the ACA's ten essential health benefits (EHB). The amended version of the AHCA empowers states to opt out of these EHB to cut costs at the price of women's lives. Even worse, the AHCA allows insurers to treat sexual assault, domestic violence, postpartum depression, pregnancy, and Caesarean sections as preexisting conditions. Before the ACA, insurers were legally able to classify these experiences as pre-existing conditions, and increase the cost of coverage as a result. As a provision of the recently passed House version of the AHCA, it's possible insurers may do so again.

Sources

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THE AMERICAN HEALTH CARE ACT: SEPARATING MYTH FROM FACT



MYTH: THE AFFORDABLE CARE ACT HAS FAILED.

FACT: THE ACA HAS LIVED UP TO ITS PROMISE.

The Affordable Care Act (ACA) has lived up to its promise of affordable health care coverage for individuals who have historically been uninsured due to socio-economic inequality. The American Health Care Act (AHCA) undoes this progress and pushes the burden of health care payment back on the most marginalized constituents.

MYTH: THE ACA IS CAUSING THE COST OF HEALTHCARE TO INCREASE, THIS WILL ONLY GET WORSE.

FACT: THE CONGRESSIONAL BUDGET OFFICE (CBO) REPORTED THAT THE ACA WILL STABILIZE IN THE CURRENT MARKET.

As the average cost of premiums lowers under the ACA, relatively healthy people will continue to buy health insurance, effectively stabilizing the market and lowering the cost of health insurance for all constituents. This counters the myth that current health care policy is destined to fail without legislative intervention and policy change, thus eliminating the GOP's mandate to repeal and replace the ACA.

MYTH: THE AHCA WILL CONTINUE TO PROTECT THE "MOST VULNERABLE."

FACT: THE AHCA WOULD LEAVE 23 MILLION PEOPLE WITHOUT HEALTH INSURANCE.

According to the CBO, the loss of health care coverage under the AHCA plan stems from gutting Medicaid for low-income people. Coverage would also be lost in part because insurance would become unaffordable for millions as subsidies are withdrawn. This will directly and negatively impact the most vulnerable individuals, who will likely be without coverage.

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HOW THE AMERICAN HEALTH CARE ACT IMPACTS WOMEN



OVERVIEW

In the 115th Congress, Republican lawmakers are prioritizing the repeal and replacement of the Affordable Care Act (ACA). On March 24th, the American Health Care Act (AHCA) did not have the votes to pass in the U.S. House of Representatives. With the addition of amendments that appealed to the far-right of the Republican Party, the AHCA passed in the House of Representatives on May 5th. These amendments made the AHCA even worse for women.

Currently, the bill language is being negotiated in the U.S. Senate in preparation for a vote. The GOP has had their sights set on repealing the ACA since 2010. It is time to hold our lawmakers accountable and fight back against this anti-woman legislation.

HOW THE ACA BENEFITS WOMEN

According to the Center for American Progress, approximately 9.5 million women who were previously uninsured have gained health coverage through the ACA and 55 million women now have access to preventive care without copays or deductibles. Annually, the ACA saves women 1.4 billion dollars in birth control copays. If the ACA is repealed, many women will have to pay out of pocket for birth control, making it less accessible and costlier.

HOW THE AHCA HURTS WOMEN

The American Health Care Act not only seeks to strip access to affordable birth control, but also limit affordable access to annual exams, contraception, screening for sexually transmitted infections, and counseling for domestic and intimate partner violence. These provisions are part of the ACA's ten Essential Health Benefits. The amended version of the AHCA empowers states to opt out of these essential health benefits to cut costs at the price of women's lives.

BEING A WOMAN IS A PRE-EXISTING CONDITION

Even worse, the AHCA allows insurers to treat sexual assault, domestic violence, postpartum depression, pregnancy, and Caesarean sections as preexisting conditions. Before the ACA, insurers classified the effects of these experiences as pre-existing conditions, charging women who have had these experiences more or denying coverage entirely. Because of the recently passed House-version of the AHCA, it's possible insurers may do so again.

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These provisions have the potential to impact a large portion of women---some of whom have experienced sexual and physical trauma and violence. About 32% of mothers have had a C-section. One in six women are victims of sexual assault, while 30% have experienced some form of domestic abuse.

Essentially, healthcare providers could tell survivors of sexual assault that because they suffer from PTSD and/ or have an STI as a result of their trauma, they are too expensive to cover. This will not only impact women who have experienced trauma, but also discourage reporting of sexual assault and domestic violence. That makes preserving the ACA not only an issue of healthcare, but an issue of justice.

THE AHCA: A WOMEN'S ISSUE

 <p>55 MILLION WOMEN HAVE ACCESS TO PREVENTIVE CARE WITHOUT COPAYS OR DEDUCTIBLES, THE AHCA COULD REMOVE THAT CARE.</p>	<p>THE AHCA'S PRE-EXISTING CONDITIONS MANDATE WILL REMOVE COVERAGE FOR...</p> <div style="display: flex; justify-content: space-around;"><div><p>THE 32% OF MOTHERS WHO HAVE HAD A C-SECTION</p></div><div><p>THE 30% OF WOMEN WHO HAVE EXPERIENCED A FORM OF DOMESTIC ABUSE.</p></div></div>
<p>THE AHCA GUTS MEDICAID LEAVING 17 MILLION WOMEN VULNERABLE.</p> 	<div style="display: flex; justify-content: center; align-items: center;"><p>THE 1 IN 6 WOMEN WHO HAVE EXPERIENCED SEXUAL ASSAULT</p></div>

NOW'S ACTION AGENDA:

- Vote "NO" on the AHCA.
- Oppose any measure to repeal the ACA unless its replacement retains existing protections against pre-existing conditions, lifetime coverage caps, and gender-based discrimination, and adds improvements such as including a public option in states without sufficient market competition from private insurers.
- Support improvements to affordable health care overall, for example with the EACH Woman Act.



NEIL GORSUCH & THE FUTURE OF REPRODUCTIVE HEALTH



THE STATE OF THE SUPREME COURT

The unexpected death of Supreme Court Associate Justice Antonin Scalia in February 2016 left a vacant seat on the court. In March, President Obama nominated Merrick Garland, a widely respected member of the D.C. Circuit Court of Appeals, for that seat. Shamefully, Senate Republicans blocked the nomination, refusing to hold hearings or allow a debate in the full Senate. Adding insult to injury, the Republicans' justification for their obstructionism was transparently false. They insisted President Obama was "politicizing" the Supreme Court by making his nomination during an election year. But in fact, the Senate has routinely—eight times since 1900—confirmed justices in election years. On January 20, 2017, the day of Donald Trump's inauguration, the Supreme Court seat remained vacant. On February 1, Trump nominated Neil Gorsuch and on April 7, he was confirmed as a Supreme Court Justice.

STOLEN SEAT

The Republicans' outrageous obstructionism must not be rewarded. No Supreme Court nominee should be confirmed unless that person is Merrick Garland or someone who shares Judge Garland's qualifications and judicial philosophy. Neil Gorsuch is not that person.

GORSUCH AND THE RIGHT WING'S AGENDA

Neil Gorsuch was appointed to the 10th Circuit Court of Appeals by George W. Bush in 2006. As documented by the Alliance for Justice, he has a long history of hostility towards the claims of workers, consumers, children, immigrants, LGBTQIA people, incarcerated people, people with disabilities, and others seeking protection from the privileged and powerful. Equally disturbingly, "his track record on money in politics comes down decisively on the side of billionaire donors and big corporations."

GORSUCH AND WOMEN'S ACCESS TO REPRODUCTIVE HEALTH CARE

NOW is especially troubled by Neil Gorsuch's record on reproductive rights and justice. As a candidate, Donald Trump promised to appoint Supreme Court justices who would overturn *Roe V. Wade*. Sen. Patrick Leahy (D-Vt.) has pointed out that Gorsuch's "willingness to limit women's access to health care ... suggests the President is making good on that promise."



Women's health care, including the full range of reproductive health services, is not a privilege but a human right. Ninety-eight percent of sexually active women use contraception at some point, and one in three will have an abortion by the age of 45. These are common and necessary aspects of women's health. When they are criminalized, restricted, and stigmatized, women's basic human rights are abridged. Blocking women's access to birth control and abortion will predictably drive up rates of maternal mortality, maternal morbidity, and infant mortality -- hardly the "pro-life" consequences that Gorsuch has claimed he desires.

BELOW ARE JUST SOME EXAMPLES OF GORSUCH'S HOSTILITY TOWARDS WOMEN'S ACCESS TO REPRODUCTIVE HEALTH CARE:

- In his book, *The Future of Assisted Suicide and Euthanasia*, Gorsuch pooh-pooed the idea that courts should recognize women's fundamental right to make their own health care decisions. Commenting on *Planned Parenthood V. Casey* (the 1992 Supreme Court decision upholding *Roe V. Wade*) he shrugged off the court's holding that "at the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life." According to Gorsuch, none of that actually motivated the Casey court, which was merely adhering to precedent.
- At the appellate level in both *Hobby Lobby V. Sebelius* and *Little Sisters of the Poor V. Burwell*, Gorsuch advocated for the right of employers to block birth control coverage from their employees' health plans, elevating employers' desire to force their religious beliefs on their employees over the workers' right to make their own health care decisions.
- Most disturbingly, Judge Gorsuch went so far as to mischaracterize both facts and law in *Planned Parenthood v. Herbert* in arguing for re-hearing of a 10th Circuit panel decision that enjoined the governor of Utah from stripping federal funding from Planned Parenthood in that state. This is an extreme level of zealotry one would expect from "an anti-abortion hardliner who wanted to cut off funds to a leading abortion provider and was willing to bend the rules to do so."

Sources

- 1 Alliance For Justice. (2017). Alliance For Justice: The Gorsuch Record. Retrieved March 6, 2017.
- 2 Pierce, S. (2017, February 6). Democrats should focus SCOTUS fight on Gorsuch's backing of big donors. Huffington Post.
- 3 Leahy, P. (2017, January 17). Statement On the Nomination of Judge Neil Gorsuch To The Supreme Court Of The United States.
- 4 Millhiser, I. (2017, February 1). Neil Gorsuch's crusade against planned parenthood. Retrieved March 6, 2017, from Think Progress.
- 5 Rosen, J. (2017, February 1). Why conservatives should Applaud—and liberals Fear—Neil Gorsuch's nomination. The Atlantic.



MOBILIZE FOR REPRODUCTIVE JUSTICE



GENERAL RESOURCES

What is Reproductive Justice?

Defines reproductive justice as “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.”

Reminder To Progressives: Abortion Is An Economic Issue

Frames reproductive justice as an economic issue “You can’t fight for economic justice without also fighting for reproductive rights.”

Reproductive Justice Briefing Book: A Primer on Reproductive Justice and Social Change

This guidebook delves into the issue of the reproductive justice, assessing the communities and spaces most impacted by limited access to reproductive healthcare.

ABORTION

An Overview Of Abortion Laws

Guttmacher’s comprehensive look at abortion restrictions across the country.

Location, Location, Location: Where You Live Determines Your Access To Abortion

An analysis from the Columbia Medical Review that explores the complexities of receiving abortive services based on location.

Women’s Mental Health And Well-Being 5 Years After Receiving Or Being Denied An Abortion: A Prospective, Longitudinal Cohort Study

This study published by the American Medical Association finds that women who are denied abortions in relationship to women who receive abortions experience ‘adverse psychological outcomes’ such as depression, anxiety, and low self-esteem.

Measuring Decisional Certainty Among Women Seeking Abortion

This study published in the medical journal Contraception, does an analysis of certainty among young women seeking an abortion. The results of the study find extremely high levels of decision certainty among women seeking abortions pre and post operation.

About Seven-In-Ten Americans Oppose Overturning Roe v. Wade

A survey conducted by the Pew Research Center found that not only do 69% of survey respondents oppose overturning Roe v. Wade, but that support for the amendment has continued to increased since it was first passed in 1973.



BIRTH CONTROL

Contraceptive Use in the United States

The Guttmacher Institute breaks down what contraceptive use and access looks like in the United States.

All About Birth Control Methods

Planned Parenthood breaks down birth control methods, including how different methods of birth control work, each type's efficacy, and the benefits of each method.

19 Women On Why Birth Control Is So Damn Important

Women celebrate and share what birth control means to them.

Access and Use of Contraception and Its Effects on Women's Outcomes in the U.S.

The study emphasizes the broad economic benefits of increased contraception use — not just for women but for society overall.

INTERSECTIONAL REPRODUCTIVE JUSTICE

What My Abortion Made Me Realize About Reproductive Justice

A woman recounts her abortion story- including the barriers to receiving this vital reproductive care. "I was on Medicaid in Illinois and Medicaid doesn't cover abortion. It was going to cost \$900. I was working part-time at a grocery store and that was more than I made in a month. I did not know then that Medicaid didn't cover abortion."

Removing Stigma: Towards a Complete Understanding of Young Latina' Sexual Health

This study examines the circumstances that impact reproductive justice for young latinas.

If You Really Care About Reproductive Justice, You Should Care About Transgender Rights!

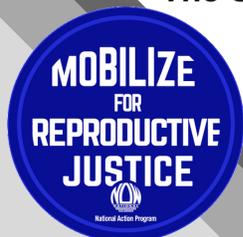
This fact sheet emphasizes that reproductive justice demands that all people, not just cisgender people, have access to their healthcare needs. "But systematic oppression and countless socioeconomic barriers bar many transgender people from obtaining the economic, social, and political power fundamental to reproductive justice."

Expanding Reproductive Choice for Young Asian and Pacific American (APA) Women

This fact sheet explores the barriers to making well-informed reproductive healthcare decisions that APA women face such as "lack of health insurance, language, culture, economic status, and geographical location."

The Untold Story About Black Women and Abortions

The article examines the "racial politics of abortion and dissects how race, class, gender, and religion converge and often determine the reproductive health care decisions of black women."



Abortion in the Lives of Women Struggling Financially: Why Insurance Coverage Matters

The study highlights how abortion restrictions disproportionately impact low-income women.

Fact Sheet: Immigration Policy and Reproductive Justice

The Center for American Progress analyzes the additional barriers to reproductive justice faced by immigrant women. “Female immigrants, both documented and undocumented, often work in industries that are low-wage and do not offer health insurance. They may not speak English and are likely to have reduced access to culturally and linguistically competent reproductive health information and services. As a result, access to affordable, quality reproductive health care is of significant concern to these women.”

New Research Shows How Abortion Restrictions Hurt Poor Women Most

The report underscores the importance of abortion access for low-income women.

Indigenous Women’s Reproductive Rights: The Indian Health Service and Its Inconsistent Application of the Hyde Amendment

This study analyzes the impact of reproductive healthcare access for indigenous women and seeks to answer the following questions: What limitations on Native American women’s access to abortion exist? What is the impact of the Hyde Amendment on Native American communities?

PLANNED PARENTHOOD

New Research Shows Real World Impact to Women When Politicians “Defund” Planned Parenthood

Published in the New England Journal of Medicine, this study reveals the devastating consequences for women when politicians block access to care at Planned Parenthood.

Understanding Planned Parenthood’s Critical Role in the Nation’s Family Planning Safety Net

The Guttmacher Institute debunks the myth that if we “Defund Planned Parenthood” health departments and federally qualified health centers can adequately replace Planned Parenthood’s services.



THE STATE OF WOMEN'S HEALTHCARE

Birth-Control Repeal May Cost Women \$1.4B A Year In Copays (For Starters)

The ACA repeal process threatens to remove federally-mandated birth control coverage. This means that women will have to pay out of pocket for birth control previously covered under the ACA.

How Women Would Be Hurt by ACA Repeal and Defunding of Planned Parenthood

Summary of how the ACA will impact women by limiting coverage for birth control and preventative care. These cuts will primarily impact low-income women, who are additionally impacted by threats to defund Planned Parenthood.

Repealing Obamacare Will Kill More Than 43,000 People A Year

Overview of Affordable Care Act repeal, it's necessity for adequate health coverage, and the lack of a supplemental plan from the GOP. The article uses a study done by the New England Journal of Medicine that "found that for every 455 people who gained coverage across several states, one life was saved per year."

"Birth Control Benefits" Healthcare.gov

The page details birth control covered by the Affordable Care Act.

Understanding Planned Parenthood's Critical Role in the Nation's Family Planning Safety Net

The Guttmacher Institute debunks the myth that if we "Defund Planned Parenthood" health departments and federally qualified health centers can adequately replace Planned Parenthood's services.

THE TRUMP ADMINISTRATION

Neil Gorsuch's crusade against Planned Parenthood

A recap of Neil Gorsuch's attempt to create an en banc hearing for Planned Parenthood as a member of the Federal Court of Appeals. The minor case, Planned Parenthood Association of Utah v. Herbert, was pushed by Neil Gorsuch in a blatant attempt on Planned Parenthood.

Reproductive Healthcare for Millions of Low-Income Women Is One Trump Signature Away From Being Threatened

The ACLU breaks down the law that allows state lawmakers to enact legislation that discriminates against qualified reproductive healthcare providers — including Planned Parenthood — by preventing them from receiving Title X funding.

