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AG Balderas Fights Trump's Roll Back of Contraceptive Coverage for New Mexican Women

Balderas: "President Trump has no business interfering with the personal health decisions and family planning of New Mexican women"

Santa Fe, NM – Today, Attorney General Hector Balderas joined a coalition of 16 attorneys general in filing a brief strongly opposing the Trump Administration's decision to roll back the Affordable Care Act's requirement that employers include birth control coverage in their health insurance plans. The amicus brief, filed Tuesday afternoon, supports California, Delaware, Maryland, New York and Virginia's lawsuit seeking to stop the federal government from implementing new regulations that authorize most employers with a religious or moral objection to contraception to block their employees, and their employees' dependents, from receiving health insurance coverage for contraceptive care and services. The federal government appealed the case to the Ninth Circuit after the district court issued a nationwide injunction stopping the rules from being implemented.

"President Trump has no business interfering with the personal health decisions and family planning of New Mexican women," said Attorney General Balderas. "I will continue to stand up to the President's harmful actions towards New Mexico families."

Since the ACA was enacted in 2010, most employers who provide health insurance coverage to their employees have been required to include coverage for contraception, at no cost to the employee. As a result of the ACA, more than 55 million women in the United States have access to a range of FDA-approved methods of birth control, including the longest-acting and most effective, with no out-of-pocket costs.

In the brief, the state attorneys general argue that the regulations threaten the health and well-being as well as the economic stability of hundreds of thousands of residents by depriving them of contraception coverage. They also contend that this will then force their states to spend millions of dollars to provide their residents with replacement contraceptive care and services.

"Contraception reduces the risk of unintended pregnancies, adverse pregnancy outcomes, and other negative health consequences," the attorneys general wrote in the brief. "And by enhancing women's control over their bodies, contraception gives them the power to choose if and how they pursue educational, employment, and familial opportunities."

In December 2017, California, Delaware, Maryland, New York and Virginia secured a nationwide preliminary injunction. The district court ruled that the regulations violated the Administrative Procedure Act. In a separate case, Pennsylvania also successfully obtained a nationwide injunction. Pennsylvania's case is currently pending in the Third Circuit. The Massachusetts case has been appealed to the First Circuit.

AG Balderas was joined by the attorneys general of Connecticut, Hawaii, Illinois, Iowa, Massachusetts, Maine, Minnesota, New Jersey, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and the District of Columbia in filing the brief.

Please see attached for a copy of the brief.

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