

The Stupak-Pitts Amendment Goes Far Beyond the Already-Punishing Restrictions in the Hyde Amendment

The Stupak-Pitts amendment, added to the House of Representative's healthcare reform bill in last-minute maneuvers on the House floor, is sometimes described as a mere extension of current restrictions on Medicaid funding for abortion (known as the Hyde amendment).

These assertions are grossly misleading and misrepresent the far-ranging harm that would be imposed by Stupak-Pitts.

There are some similarities. Both Hyde and Stupak-Pitts perpetuate harmful and discriminatory health policy by denying federal funding for women seeking medically necessary abortions, except in extremely limited circumstances when a woman's life is endangered or the pregnancy is the result of rape or incest.

However, Stupak-Pitts goes much, much further, extending these draconian limits to people who remain privately employed and will seek insurance from private insurers. Stupak-Pitts would transform a limited policy that the federal government does not provide funding for abortion into a very broad policy in which the federal government proactively creates obstacles for women seeking coverage.

Some key points:

1. Stupak-Pitts is not needed because the bill language already assures that no federal funding will go to abortions services coverage. Stronger language was also added to ensure funds will remain apart in the Senate version of the bill.
2. Stupak-Pitts would make abortion coverage unavailable to people getting coverage through the exchange even if they are paying for their premiums entirely with their own money.
3. The Hyde Amendment applies to programs such as Medicaid, under which virtually

100% of the costs of health coverage are paid for using state and federal dollars. In contrast, Stupak-Pitts goes much further and places limits on the use of private funds by barring any coverage of abortion in plans within the exchange that cover participants receiving affordability credits.

4. In addition, the Hyde Amendment is a rider which allows Congress to determine the level of coverage on an annual basis. Currently, the Hyde Amendment permits federal Medicaid funding of abortion only if the woman's life is endangered or the pregnancy is the result of rape or incest. The Stupak-Pitts Amendment would enshrine these extreme limitations permanently into law.
5. Health benefit plans participating in the exchange would find it too burdensome to offer abortion coverage in their other plans due to administrative burdens, and would therefore drop coverage even from plans that are not part of the exchange.

Although the Hyde Amendment does not provide Medicaid recipients the option to obtain supplemental coverage, that provision of the Stupak-Pitts Amendment is unlikely to provide a meaningful opportunity for coverage, either. Experience has shown that separate riders for abortion coverage will not be made available or may be inordinately expensive. **As a result of Stupak-Pitts, millions of women who are denied coverage would face the same financial obstacles faced by Medicaid recipients seeking abortion care and will have to find the means, if possible, to pay for the procedure entirely out-of-pocket.**

For more information, please contact [Laura MacCleery](mailto:LauraMacCleery@reprorights.org), of the Center for Reproductive Rights, at lmaccleery@reprorights.org or 202.489.7147.