

FAMILY PLANNING POLICY SNAPSHOT

A post-legislative brief from Family Planning Elevated | 2021

2021 IN CONTEXT



COVID-19 pandemic forced innovative engagement including:

- Creating the SLACK-Utah Legislative Virtual Cafeteria
- Online streaming of committee hearings and floor discussions
- Weekly Zoom Reproductive Roundtables
- Bi-monthly Health Policy Roundtables
- Medicaid Community Advisory Committee Meetings Monthly
- Utah Reproductive Policy Consortium/AMA/ACOG working together



For the first time since 2015, NO anti-abortion bills legislation was passed

RACIAL AND ECONOMIC JUSTICE

BILL RECOGNIZING RACISM AS A CRISIS DOESN'T MOVE FORWARD

HJR13, *Joint Resolution Declaring Racism as a Moral and Public Health Crisis*, **declares racism to be a moral and public health crisis**, affirms that differences in access to opportunities and resources according to race persist, highlights racial disparities in health measures, including COVID-19 risks, describes calls by various organizations for racism to be addressed. This bill did not pass.



DEFENDING PEOPLE WITH PROTECTIVE HAIRSTYLES

SB80, *Utah Antidiscrimination Act Amendments*, would make it **illegal to discriminate against people with protective hairstyles**, such as braids, locks, afros, curls, and twists. Also known as "**The Crown Act**".



HEALTH EDUCATION

ENHANCED SEXUAL EDUCATION BILL FAILS

HB 177, *Health Education Amendments*, enhances education for middle school and high school students in Utah to **learn about consent** including what does not constitute consent; sexual violence behavior prevention education; and information about resources for sexual assault survivors

ABORTION RESTRICTIONS

TRAP LAWS DO NOT PASS

HB231, *Fetus Transport Restrictions*, would have made it **illegal to transport tissue from miscarriages and abortions** out of state except for burial. This would prohibit health care providers from using out-of-state pathology labs.



continued on next page

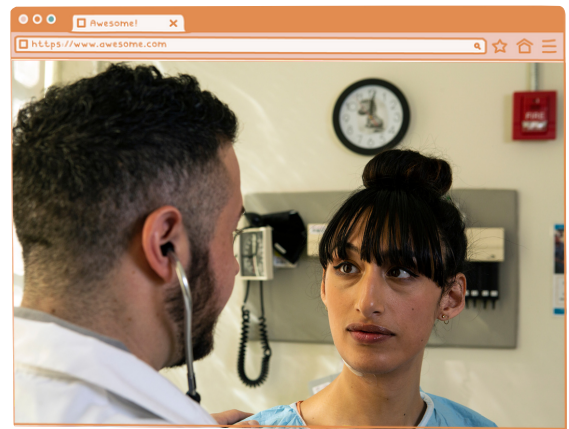
HEALTHCARE ACCESS

INSURANCE COVERAGE CHANGES

- **SB158**, *Children's Health Coverage Amendments*, would have **covered undocumented children through CHIP & Medicaid**, and established 12-months of continuous coverage. Although it didn't move forward, the bill was circled for future review.
- **HB363**, *Medicaid Waiver for New Mothers*, was not considered by the House Human Services Committee but would have provided **12-months continuous coverage postpartum**. Representative Ward is gathering stakeholders in the interim.
- **HB344**, *Program Eligibility Amendments*, **added barriers to Medicaid and SNAP**. The bill was held in the Hosue Human Services Committee.
- **HB 113**, *Shared Medical Costs*, **cost-sharing for pregnancy related care**.

NO NEW BARRIERS TO GENDER-AFFIRMING CARE

HB92, *Medical Practice Amendments*, **would have made providing gender-affirming healthcare for a person under 16** years old, including puberty blockers, **unprofessional conduct** for a healthcare professional. The bill failed and did not move forward.



ABORTION RESTRICTIONS

TRAP LAWS DO NOT PASS

HB231, *Abortion Amendments*, mandates that the abortion informed consent process occur in person. Includes **penalty of perjury** for the patient's signature verifying they have viewed the information module.

- Adds certain requirements to the abortion information module, such as audio of fetal heartbeat and images of abortion procedures at certain gestational ages.
- Requires certain detailed breakdowns of statistical reporting of abortion complications.
- **Fines a physician \$50,000** for failure to comply with any provision of the bill.



FERTILITY AND CONTRACEPTIVE EQUITY

EXPANDED COVERAGE FOR FERTILITY TREATMENT



HB192, *Fertility Treatment Amendments*, **expands Medicaid coverage for fertility preservation** to people who are diagnosed with cancer or another disease for which the treatment could cause infertility. This bill passed and now directs the state to apply for a waiver by January 1, 2022.

SB19, *Expanded Infertility Treatment Coverage Pilot*, **extends program for Post-Employment Health Program (PEHP) by three years**. Provides coverage for each qualified assisted reproductive technology cycle. The bill was passed and filed.



MENSTRUAL PRODUCT TAX CONTINUES

HB 204, *Feminine Hygiene Products Tax Amendments*, **would have eliminated the taxation on menstrual products**. This bill did not pass during the session.

continued on next page

FERTILITY AND CONTRACEPTIVE EQUITY

MEDICAID FAMILY PLANNING ACCESS REMAINS STAGNANT

SB 128, *Family Planning Service Amendments*, would have required the Medicaid program to apply for a waiver or a state plan amendment to **extend family planning services to people with income 250% or below the federal poverty level**. This bill passed with bipartisan support but did not receive funding for its fiscal year. Concerted efforts are taking place to ensure this bill receives appropriations in the future.



JAILS ARE REQUIRED TO PROVIDE CONTRACEPTION FOR INCARCERATED POPULATIONS

HB102, *Contraception for Inmates*, allows people who were already using contraceptives to **continue using their contraceptive method while incarcerated**.



ACCORDANCE WITH SEXUAL AND REPRODUCTIVE HEALTH BEST PRACTICES



HELPFUL LEGISLATION

REFERENCES

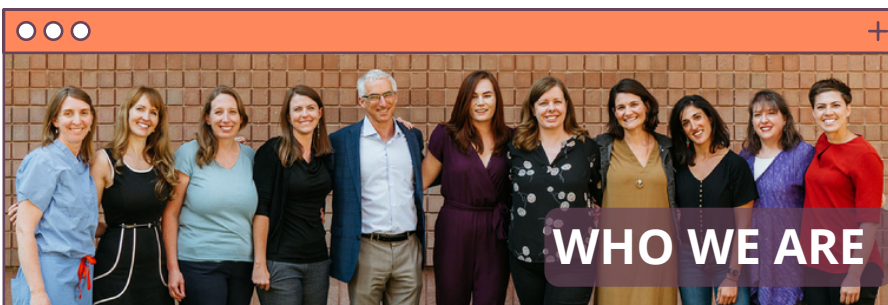
1. [Reproductive Justice](#), Reproductive Health and Reproductive Rights: A Framework
2. [Reproductive Justice: What It Means and Why It Matters](#) (Now, More Than Ever)
3. [Long-term outcomes in cancer patients](#) who did or did not pursue fertility preservation
4. [Fertility](#)—a human right worthy of mandated insurance coverage: the evolution, limitations, and future of access to care
5. [Who Benefits from Repealing Tampon Taxes?](#) Empirical Evidence from New Jersey
6. [Unmet Menstrual Hygiene Needs Among Low-Income Women](#)
7. Contraceptive Use and Barriers to Access Among [Newly Arrested Women](#)
8. [Contraceptive Care in Jail](#): Reproductive Justice for Incarcerated Women
9. Projecting the Unmet Need and Costs for [Contraception Services After the Affordable Care Act](#)
10. [Publicly Supported Family Planning Services in the United States](#): Likely Need, Availability and Impact



HARMFUL LEGISLATION

REFERENCES

1. Assessing the [impact of TRAP laws on abortion and women's health in the USA](#): a systematic review
2. [Safe abortion: The public health rationale](#)
3. Mental Health and Timing of [Gender-Affirming Care](#)
4. Gender-Affirming Care for Youth is [Good Health Care](#)



Family Planning Elevated (FPE) is a statewide contraceptive initiative, working to expand contraceptive access across Utah.

FPE assists health centers in building capacity to meet the contraceptive needs of their clients; supports Utahns in accessing the contraceptive methods they want without economic or geographic barriers; and strives to bolster local and state family planning policies. FPE releases Policy Snapshots before and after each Utah State Legislative Session. **We hope you found this snapshot helpful.**