

**Congress of the United States**  
**Washington, DC 20515**

February 29, 2012

The Honorable Barack Obama  
President, United States of America  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

It has come to our attention that a letter was sent to you requesting your administration take a position on a bill currently working through the Washington State Legislature, the Reproductive Parity Act HB 2330.

Our intention with the Affordable Care Act was to provide individual states wide latitude in designing and implementing their own state exchanges. Here in the state of Washington we have existing state law, passed by the voters in 1991 that requires Washington to provide abortion benefits. The existing law reads:


If the state provides, directly or by contract, maternity care benefits, services, or information to women through any program administered or funded in whole or in part by the state, the state shall also provide women otherwise eligible for any such program with substantially equivalent benefits, services, or information to permit them to voluntarily terminate their pregnancies.


As Washington state implements the Affordable Care Act, it is vital that we uphold the will of Washington voters and take advantage of the flexibility provided within the Affordable Care Act in allowing abortions be covered within our state's exchange.

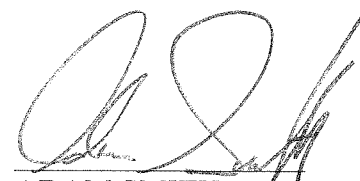
The Reproductive Parity Act has been drafted to specifically protect insurance carriers in the state of Washington against discrimination. Every carrier currently selling in Washington covers abortion, and they have no objection to HB 2330. Washington has an existing conscience clause for new providers wishing to be admitted into the state that do not want to include abortion in any of their health plans. Further, the bill includes language that if the application of the Reproductive Parity Act results in non-compliance with Weldon, the requirement would be suspended for that health plan. Through these mechanisms no insurance carrier in Washington will be compelled to cover abortion against their conscience.

We believe these protections will adequately protect both the women of Washington, and also the health insurance carriers wishing to do business in our state. We ask the administration to allow Washington to take advantage of the very flexibility we intended when we allowed states to make their own decisions regarding abortion coverage.

Very truly yours,

  
JAY INSLEE  
Member of Congress

  
JIM McDERMOTT  
Member of Congress

  
ADAM SMITH  
Member of Congress