



# Ariz. Bill Could Require Reason for Birth Control



A new study confirms that combination birth control pills cuts pain during menstruation. (Photodisc/Getty Images)

**AP** Associated Press

By PAUL DAVENPORT Associated Press  
PHOENIX March 16, 2012 (AP)

Women in Arizona trying to get reimbursed for birth control drugs through their employer-provided health plan could be required to prove that they are taking it for a medical reason such as acne, rather than to prevent pregnancy.

A bill nearing passage in the Republican-led Legislature allows all employers, not just religious institutions, to opt out of providing contraceptive coverage when doing so would violate their religious or moral beliefs.

When a female worker uses birth control pills, which can be used to treat a number of medical conditions, the bill would allow an employer who opted out to require her to reveal what she was taking it for in order to get reimbursed.

The bill thrusts the state into a raging national debate about religious freedom and birth control, sparked after the Obama administration required that employers must provide contraception coverage under the federal health care overhaul.

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After objections from religious groups, the administration changed course, ordering that insurers, not employers, would have to pay for the coverage. Republicans, social conservatives and some religious groups believe the new order still violates their beliefs.

"We don't live in the Soviet Union," said the Arizona bill's sponsor, Republican Rep. Debbie Lesko. "And so government shouldn't be telling employers, Catholic organizations and mom and pop (businesses) to do something that's against their moral beliefs."

Critics say the bill allows employers to violate their worker's privacy.

"Leave the care of medicine to women and their doctors," said Democratic state Rep. Lela Alston.

Arizona is among at least 26 states that generally require that health plans cover contraceptives, though it's also among those that let churches and other religious entities opt out of providing the coverage, according to the National Conference of State Legislatures.

Under the Arizona bill, employers who opt out could make women provide documentation from their health care provider.

Liza Love, a mental health worker, testified Monday before a Senate committee to oppose the bill, saying she would be required to disclose that she needed contraceptives to treat endometriosis, which is excessive growth of the uterine lining.

"That's nothing that you as my employer ... have a right to know," she said.

Opponents of the legislation suggested that the application process might violate a federal law on privacy of medical information. A supporter, Republican Rep. Edie Farnsworth, said it wouldn't because seeking reimbursements is voluntary.

However, a legislative staff lawyer said it's not clear whether the current opt-out or the expanded one violates other federal law, including the new contraception coverage mandate being implemented by the Obama administration.

House Rules Attorney Tim Fleming noted that attorneys general for seven states sued to challenge the mandate on First Amendment grounds.

A national advocacy group for social conservatives, the Alliance Defense Fund, said the current opt-out provision is too restrictive.

The bill would end uncertainty about "who is sufficiently religious to have their rights of conscience protected," said Gary McCaleb, a lawyer for the Arizona-based group.

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**confuzd4life2** 12:05 AM EDT Mar 17, 2012  
I'm not Mormon or Catholic and as a Protestant I think that I would like you all to keep your government out of my medical issues and my bedroom. I have a right to privacy just like the man who has crabs. This is insurance and not taxes. This insurance might pay for things that men like that I wouldn't want to have covered. When do women get to vote on whether certain things get covered for men and who they have to share the information with like an employer. Maybe they want their employer to know that they have a low sperm count or they have had VD from their last trip to Vegas or any other vacation spot. If they are going to do that then maybe we should let the Jehovah's witnesses religious group, that doesn't believe in doctors or blood transfusions, have a say in what insurance won't be able to cover. This is the most idiotic invasion on women's rights.

**RoJa9922** 2:24 PM EDT Mar 16, 2012  
That is just insane.

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