



Member's Press Release

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**Barabara Evans Fleischauer**

**Fleischauer Says Women Should Not be Treated as a Pre-existing Condition**

At an event sponsored by the Women's Caucus of the WV Young Democrats and the Morgantown Chapter of the National Organization for Women, Delegate Barbara Evans Fleischauer presented information about how health insurance policies in WV discriminate against women by charging them more than men.. Delegate Fleischauer compiled the attached fact sheet from data contained in two reports issued by the National Women's Law Center (NWLC), as well as information presented by the NWLC in September to the Legislative Interim Committee which she co-chairs.

"It is shocking, that our state permits this type of blatant discrimination," said Delegate Fleischauer. "Who would have guessed that in this day and age in our state, 70% of the best-selling individual health insurance plans examined would be allowed to charge non-smoking women more than male smokers."

"I find it distressing that so many individual policies exclude maternity care," said Fleischauer. "And, if women do spend extra money for pregnancy coverage, the exclusions result in women paying thousands of dollars over and above the costs of their insurance,"

"What is ironic is that the high cost of maternity care is usually given as the excuse for charging women more," said Fleischauer. "Yet in West Virginia, the NWLC studies show that the best selling individual health insurance plans that excluded pregnancy coverage (90% of those examined) charged women in child-bearing ages between 6 and 41% more."

"I hadn't realized that group health insurance plans are also allowed to discriminate against women in their pricing under West Virginia law," stated Fleischauer. "What this means is that businesses that have a larger female workforce – for example child care companies, pharmacies, home health agencies and nonprofits – are in all likelihood paying higher premiums because of the number of women they employ."

"This is wrong," said Fleischauer. "Women should not be treated as if we were a pre-existing condition. Companies and agencies that provide health insurance for women should not be penalized simply because a majority of their employees are women."

"Fortunately," said Fleischauer, "national health insurance reform will ban the practice of gender rating in health insurance plans."

Charging people more for health insurance because of their race has long been prohibited in the entire country. " It is time for West Virginia to stop discriminating against women too," added Fleischauer. She has asked that legislation be drafted that would ban gender rating in insurance policies.

The National Women's Law Center has prepared a state-by-state analysis of discrimination against women in health insurance, see "Nowhere to Turn" and "Still Nowhere to Turn", [nwlc.org](http://nwlc.org). The NWLC presented a more detailed analysis of discriminatory practices in West Virginia at the September meeting of a Joint Judiciary subcommittee, co-chaired by Delegate Fleischauer.

*See Fact Sheet Below.*

**FACT SHEET**

## Health Insurance Discrimination Against Women in WV

It is legal in WV to charge women more than men for individual policies.

- A state by state study by the National Women's Law Center in 2008 found that individual health insurance plans charged women substantially more than men.
- For example, the 2008 study found that a 25 year old female in Charleston, WV would pay between 6 and 41% more than a comparable male for the same coverage.
- The NWLC 2009 study found a shocking 70% of the best-selling plans in WV charged nonsmoking 40 year old women more than men.

It is legal to exclude maternity coverage in WV.

- Even though reproductive services is given as a reason for higher prices, 90% of the WV policies examined excluded maternity coverage altogether. (NWLC 2009 report)
- It is also legal to reject women for pre-existing conditions such as being pregnant, being a victim of domestic violence or having previously had a C-section. Some states prohibit these practices, WV does not.

It is legal to charge more for women in group policies.

- Only one state - Montana- bans gender rating in all insurance policies.
- Allowing insurance companies to charge higher amounts, based upon the number of employees who are female, means that business with a larger female workforce – such as child care, health care, physician and dentists offices, pharmacies and nonprofits - are forced to pay considerably more.

Women in WV need Health Insurance Reform that prohibits discrimination.

- 21% of WV women have no health insurance - for many of them, the individual insurance market may be their only option.
- Women in WV earn on average 67% or nearly one-third less than men – they can't afford higher premiums than men.
- Buying extra coverage for pregnancy is extremely expensive in WV. A NWLC report to the WV Legislature found that a \$106 per month maternity rider with a high deductible, resulted in payments of at least \$4,428 for an uncomplicated pregnancy, at least \$10,201 for a complicated C-section with complications.
- Charging different prices for health insurance by race is banned in all states. Yet WV law allows insurance companies to consider being a woman as a "pre-existing condition."

We need health reform in WV and nationally that does not discriminate against women!

- Both the federal Senate and House bills prohibit gender rating.
- WV should also ban the practice of charging women more than men for health insurance.

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