

*Office of Personnel Management*  
*Retirement and Insurance Service*



1920



1954



1959



1986

**Benefits Administration Letter**

*Number:* 95-223

*Date:* November 29, 1995

**SUBJECT: Newly Enacted Limits on Abortion Coverage**

Public Law 104-52, the "Treasury, Postal Service, and General Government Appropriations Act, 1996," enacted on November 19, 1995, limits Federal Employees Health Benefits (FEHB) plans' coverage of abortion. Beginning on and after January 1, 1996, FEHB plans will not pay or provide benefits for an abortion except "where the life of the mother would be endangered if the fetus were carried to term, or [when] the pregnancy is the result of an act of rape or incest" (Pub. L. 104-52, November 19, 1995).

Since the FEHB plans' 1996 brochures were printed before the law was passed, they may not reflect the new statutory limits on abortions. Therefore, the brochures of FEHB plans that list coverage for abortions may overstate the benefits the plans will provide for abortions during 1996. These newly enacted limits on abortion coverage supersede any less restrictive language that may appear in any particular plan's FEHB brochure. The limits on abortion coverage will not result in any change in premiums.

Agencies must inform their employees of the limits on FEHB plans' coverage of abortion and also advise employees who are reviewing brochures not to use language regarding abortion coverage as the basis for making a decision, since the language may be inconsistent with the recent legislation. Attached is a sample employee letter you may use to inform your employees of the statutory change.

Abby L. Block, Chief  
Insurance Policy and  
Information Division

Attachment

## Sample Employee Letter

Subject: Newly Enacted Limits on FEHB Plans Coverage of Abortion

Public Law 104-52, the "Treasury, Postal Service, and General Government Appropriations Act, 1996," enacted on November 19, 1995, limits Federal Employees Health Benefits (FEHB) plans' coverage of abortion. Beginning on and after January 1, 1996, FEHB plans will not pay or provide benefits for an abortion except "where the life of the mother would be endangered if the fetus were carried to term, or [when] the pregnancy is the result of an act of rape or incest" (Pub. L. 104-52, November 19, 1995).

Since the 1996 FEHB brochures were printed before the law was enacted, the benefits stated may not be accurate. These restrictions apply regardless of any contrary language in the 1996 FEHB brochures. If you are reviewing brochures while considering an open season change, do not use language regarding abortion coverage as a basis for deciding on an FEHB plan for 1996, since the language may be inconsistent with recent legislation. There will be no change in premium resulting from the limitations on abortion.