



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

My Letter to Centene on its Plan to Outsource Coverage of Family-Planning Services

BRAD HOYLMAN-SIGAL September 22, 2017



September 18, 2017

Hon. Eric T. Schneiderman

Office of the Attorney General

The Capitol

Maria T. Vullo, Superintendent

NYS Department of Financial Services

One State Street

Albany, NY 12224

New York, NY 10004

Dr. Howard A. Zucker, Commissioner

NYS Department of Health

Corning Tower

Albany, NY 12237

Dear Attorney General Schneiderman, Superintendent Vullo, & Commissioner Zucker:

I am writing to express my concern with recent reports that Centene Corporation (Centene) is proposing a \$3.75 billion acquisition of Fidelis Care (“Fidelis”).

As you know, Fidelis is a 501(c)(3) health insurance company sponsored by the Catholic dioceses of New York State and as such is permitted to outsource the coverage of contraceptives and other family planning services to secular third-party companies. Centene, on the other hand, is a publicly-traded, for-profit corporation, and therefore must adhere to New York’s regulatory mandate that contraceptive coverage be made available by health insurers with no copayments, deductibles or out-of-pocket costs.

I am troubled by recent news accounts that the terms of the Fidelis acquisition include Centene agreeing to “use commercially reasonable good-faith efforts to comply with the protocols and policies ... relating to the ethical and religious directives for Catholic Health Care Services” for a one-year period after the proposed acquisition of Fidelis is finalized. Such

an agreement is in conflict with New York law and would perpetuate undue hardships and bureaucratic hurdles to obtaining contraception and other family planning services.

As the regulators tasked with approving this proposed acquisition, I urge you to monitor this transaction rigorously throughout the statutory approval process to ensure that Centene follows all applicable state laws and regulations in providing coverage of reproductive health services and that a women's right to access such services not be encumbered in any manner.

Thank you for your attention to this important matter. Please do not hesitate to contact me at [212-633-8052](tel:212-633-8052) to discuss.

Sincerely,

Brad Hoylman

New York State Senator

27th District