

September 18, 2017

Hon. Eric T. Schneiderman
Office of the Attorney General
The Capitol
Albany, NY 12224

Maria T. Vullo, Superintendent
NYS Department of Financial Services
One State Street
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

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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 to discuss.

Sincerely,

Brad Hoylman
New York State Senator
27th District