



## MEDICAL POLICY STATEMENT WEST VIRGINIA MARKETPLACE

Policy Name	Policy Number	Date Effective
Abortion	MM-0918	03/01/2021-12/31/2021
Policy Type		
<b>MEDICAL</b>	Administrative	Pharmacy
		Reimbursement

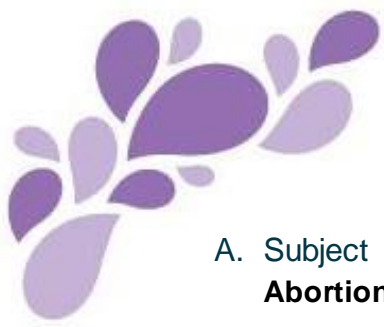
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According to the rules of Mental Health Parity Addiction Equity Act (MHPAEA), coverage for the diagnosis and treatment of a behavioral health disorder will not be subject to any limitations that are less favorable than the limitations that apply to medical conditions as covered under this policy.

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A. Subject  
**Abortion**

B. Background

CareSource will cover abortions for eligible CareSource members in accordance with this policy.

C. Definitions

- **Emergency medical condition** - Means a medical condition that manifests itself by signs and symptoms of sufficient severity or acuity, including severe pain, such that a prudent layperson would reasonably have cause to believe constitutes a condition that the absence of immediate medical attention could reasonably be expected to result in:
  - serious impairment to bodily functions, or
  - serious dysfunction of any bodily organ or part; or
  - in the case of a pregnant woman who is having contractions:
    - A situation in which there is inadequate time to affect a safe transfer to another hospital before delivery; or
    - A situation in which transfer may pose a threat to the health or safety of the woman or the unborn child.

D. Policy

**This policy is written to conform to the Hyde Amendment.**

- I. All abortions require an authorization.
  - A. Non-emergent abortions require a prior authorization
    1. Must include evidence of informed consent of the female in compliance with WV Code section 16-21-2.
  - B. Emergency abortions require a retro authorization
    1. A retro authorization needs to be requested with supporting medical documentation based on the definition. Retro authorization timelines apply.
- II. An abortion is not a covered benefit except in the case of:
  - A. A women who suffers from a physical disorder, physical injury or physical illness including life-endangering physical condition caused by or arising from the pregnancy itself, that would; or as certified by a physician, place the woman in danger of death unless an abortion is performed; or
  - B. A pregnancy that was a result of rape or incest.
- III. Reimbursement will not be made for associated services such as anesthesia, laboratory tests, or hospital services if the abortion service itself is not approved.

E. Conditions of Coverage  
NA



F. Related Polices/Rules

Evidence of Coverage and Health Insurance Contract West Virginia

G. Review/Revision History

DATE		ACTION
<b>Date Issued</b>	02/01/2020	
<b>Date Revised</b>	12/16/2020	Updated language to match the Hyde Amendment
<b>Date Effective</b>	03/01/2021	
<b>Date Archived</b>	12/31/2021	This Policy is no longer active and has been archived. Please note that there could be other Policies that may have some of the same rules incorporated and CareSource reserves the right to follow CMS/State/NCCI guidelines without a formal documented Policy

H. References

1. Saliganicoff, A, Sobel, L, and Ramaswamy A. (2020, January 24). *The Hyde Amendment and Coverage for Abortion services*. Retrieved December 2, 2020 from [www.kff.org](http://www.kff.org)
2. Saliganicoff, A, Sobel, L, and Ramaswamy A. (2019, June 24). *Coverage for Abortion Services in Medicaid, Marketplace Plans and Private Plans*. Retrieved December 2, 2020 from [www.kff.org](http://www.kff.org)
3. West Virginia Code. (n.d.). §33-25A-8d. *Coverage of emergency services*. Retrieved December 2, 2020 from [www.code.wvlegislature.gov](http://www.code.wvlegislature.gov)
4. West Virginia Code (n.d.) §16-2I-2. *Informed consent*. Retrieved December 2, 2020 from [www.code.wvlegislature.gov](http://www.code.wvlegislature.gov)

**The Medical Policy Statement detailed above has received due consideration as defined in the Medical Policy Statement Policy and is approved.**