

COLORADO:

Medication Abortion Care & Telehealth At A Glance

Updated: August 2023

ABORTION CARE IN COLORADO

- ▶ *Pregnant people in Colorado have limited access to abortion care.* In 2017, some 80% of Colorado counties did not have an in-person abortion clinic.¹
- ▶ *Abortion is an essential, time sensitive health care service.* Medically unnecessary restrictions push medication abortion care, which is a non-invasive abortion option that is approved by the FDA for use up to 10 weeks in pregnancy, out of reach for many.
- ▶ *Being denied care negatively impacts the health and wellbeing of pregnant people and their families.* Women who were denied a wanted abortion had four times greater odds of living below the Federal Poverty Level and were more likely to experience poorer health outcomes for years after the pregnancy.²
- ▶ *People seeking abortion already face significant barriers to receiving quality care.* Restrictions on abortion care and insurance coverage disproportionately impact people working to make ends meet, immigrants, young people, and people of color.³
- ▶ *Coloradans support access to abortion care.* More than 6 in 10 [64%] of Colorado voters say that abortion should be legal in all or most cases.⁴

TELEHEALTH: A TOOL FOR EXPANDING ACCESS TO MEDICATION ABORTION CARE IN COLORADO

- ▶ *Telehealth is a tool that can expand abortion access.* Research shows that medication abortion care can safely and effectively be delivered through telehealth via a phone and/or video visit with a provider, reduces barriers to care, and can help patients access care earlier in pregnancy.⁵
- ▶ Overall, general telehealth policy in Colorado, including the state's Medicaid program, Health First Colorado, is expansive. Colorado:
 - Requires payment parity for telehealth services⁶;
 - Requires coverage for audio-only (phone) telehealth⁷;
 - Allows patients to receive care via telehealth from any location, including at home⁸;
 - Prohibits Medicaid or other payors from requiring patients to have an established relationship with a provider prior to receiving care via telehealth⁹;
 - Allows a broad range of health care professionals to provide telehealth for medication abortion care¹⁰.
- ▶ Given the threat that many states may severely restrict or ban abortion access, flexibility in telehealth for medication abortion care are imperative for Coloradans and the abortion care ecosystem.

FOR MORE INFORMATION ON TELEHEALTH FOR MEDICATION ABORTION CARE, VISIT:

- ▶ [Telehealth for Medication Abortion Care](#)
- ▶ [Telehealth for Medication Abortion Care Process Chart](#)
- ▶ [Equity in Telehealth for Medication Abortion Care Checklist](#)

POLICY IMPACTING PROVISION OF TELEHEALTH FOR MEDICATION ABORTION CARE

- ▶ **Parental notification requirements for patients under 18:** Colorado requires that notice be provided to a minor's parent at least 48 hours prior to an abortion or the patient must seek judicial bypass. This 48 hours' notice requirement effectively acts as a 48-hour waiting period for minors, including those who seek to use telehealth services.¹¹
 - **Impact:** The majority of young people faced with an unintended pregnancy involve a parent or guardian in their decision to seek abortion care. For youth who can't, they must seek a judicial bypass or waiver, which is permission from a judge to consent to their own abortion care.
 - This additional burden often delays care by days or weeks and undermines a young person's bodily autonomy. Young people needing abortion services are also often those with fewer financial and logistical resources and may be more in need of telehealth as the most accessible option.

¹ Guttmacher Institute. [State Facts About Abortion: Colorado](#). 2022.

² Greene Foster, D. [The Turnaway Study: Ten Years, a Thousand Women, and the Consequences of Having—or Being Denied—an Abortion](#). June 2 2020.

³ Boonstra, H. [Abortion in the Lives of Women Struggling Financially: Why Insurance Coverage Matters](#). Guttmacher Policy Review. 2016.

⁴ PRRI. [Abortion Attitudes in a Post-Roe World: Findings From the 50-State 2022 American Values Atlas](#). February 23 2023.

⁵ Aiken, A., et al. [Effectiveness, safety and acceptability of no-test medical abortion provided via telemedicine: 16 a national cohort study](#). *British Journal of Obstetrics & Gynecology*. February 2021.

⁶ [Section 25.5-5-320\(2\)](#)

⁷ [Section 25.5-5-320\(1\)](#)

⁸ [Section 10-16-123\(4\)\(b\)](#)

⁹ [Section 10-16-123\(2\)\(a\)](#)

¹⁰ No Colorado law restricts abortion to physicians. [Abortion capacity in Colorado could expand with advanced practice clinicians, more telehealth](#).

¹¹ <https://law.justia.com/codes/colorado/2016/title-12/health-care/article-37.5>

- ▶ **Intrusive, inequitable, and burdensome certification requirements:** Colorado requires a practitioner billing Medicaid for an abortion to submit additional documentation¹² with the claim, including to file a certification statement regarding the eligibility for reimbursement of such abortion services based on incest, rape, or life endangerment.¹³
 - **Impact:** This requirement creates medically unnecessary burdens to care provision.

POLICY IMPACTING COVERAGE OF TELEHEALTH FOR MEDICATION ABORTION CARE

- ▶ **Health First Colorado is prohibited from covering most abortion services, including via telehealth and there are no coverage protections for patients using private insurance:**
 - Colorado's state Medicaid program only covers abortion care if the pregnancy is a result of rape or incest or to save the pregnant person's life.¹⁴
 - While there is no prohibition on coverage for abortion services in private insurance plans, many payers do not cover abortion services in Colorado, including for telehealth. And abortion is not covered in insurance policies for public employees.¹⁵
 - **Impact:** A lack of coverage can create insurmountable barriers for women already struggling to get affordable health care.¹⁶ Studies show that severe restrictions on Medicaid coverage or abortion force one in four poor women seeking an abortion to carry an unwanted pregnancy to term.¹⁷¹⁸
 - **Impact:** This forces patients to pay out of pocket for abortion care. 40% of adult Americans reported not being able to cover an unexpected \$400 expense, which is less than the cost of first trimester abortion care.¹⁹
- ▶ **In Colorado, there is no coverage for asynchronous store and forward services²⁰:** Colorado law requires interactive audio (including but not limited to telephone and relay calls), interactive video (including but not limited to interactive audiovisual modalities), or interactive data communication (including but not limited to live chat and excluding text messaging, electronic mail, and facsimile transmission) to be reimbursed.
 - **Impact:** This disproportionately impacts people of color and those working to make ends meet, as it limits access to care for patients who are in areas with limited bandwidth or who lack devices or sufficient minutes on cellular plans to ensure a telehealth video visit can take place.
- ▶ **No coverage for translation services:** Providers participating in Health First Colorado are required to provide translation services for Medicaid beneficiaries, including via telehealth.²¹ However, there is no requirement for public or private insurance to cover the costs associated with translation.
 - **Impact:** Providers may be less likely to offer patients with translation needs access to telehealth services, forcing unnecessary in-person visits and inequitable access to care.
- ▶ **No coverage for mailing medications:** In Colorado, there is no requirement for Health First Colorado or private payors to cover the cost of mailing medications.²²
 - **Impact:** Without this coverage, providers and/or pharmacies may be less likely to offer patients the option of mailing medications, forcing unnecessary in-person visits and inequitable access to care.

MORE INFORMATION ON TELEHEALTH IN COLORADO

- ▶ [Southwest Telehealth Resource Center](#)
- ▶ Center for Connected Health Policy - [Colorado State Telehealth Laws](#)

¹² <https://hcpf.colorado.gov/OB-manual#abort>

¹³ <https://www.guttmacher.org/state-policy/explore/state-funding-abortion-under-medicare>

¹⁴ <https://hcpf.colorado.gov/sites/hcpf/files/MSB%2022-02-27-A%20PRRM%20-%20Mar%202022.pdf>

¹⁵ [State Facts About Abortion: Colorado | Guttmacher Institute https://www.guttmacher.org/fact-sheet/state-facts-about-abortion-colorado](https://www.guttmacher.org/fact-sheet/state-facts-about-abortion-colorado)

¹⁶ All* Above All. [Fact Sheet: About the Hyde Amendment. 2022](#)

¹⁷ <https://www.guttmacher.org/report/restrictions-medicare-funding-abortions-literature-review>

¹⁸ <https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=10145&fileName=10%2520CCR%25202505-10%25208.700>

¹⁹ [Bankrate's 2023 annual emergency savings report](#)

²⁰ "Asynchronous care, also referred to as store-and-forward " is the electronic transmission of medical information to a practitioner, usually a specialist, who uses the information to evaluate the case or render a service outside of a real-time or live interaction." <https://www.cchpca.org/topic/store-and-forward/>"

²¹ [Translation and Interpretation Services | Medicaid](#)

²² [Health First Colorado Pharmacy Benefits Frequently Asked Questions](#)