



# COLORADO

## Medication Abortion Care & Telehealth At A Glance

### Abortion Care in Colorado

- *Women in Colorado have limited access to abortion care, with 87% of Colorado counties lacking a physical clinic providing abortion services.*<sup>1</sup>
- *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 Food and Drug Administration (FDA) for use up to 10 weeks in pregnancy, out of reach for many.
- *Being denied care can negatively impact the health and well-being of women 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.<sup>2</sup>
- *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 women of color.<sup>3</sup>
- *Medicaid in Colorado prohibits the use of public funds for abortions except in cases of incest, rape, or life endangerment.*<sup>4</sup>
- *Colorado residents support access to abortion care.* A majority [57%] of Colorado voters say that abortion should be legal in all or most cases.<sup>5</sup>

### Telehealth: A Tool for Expanding Access to Medication Abortion Care

- *Telehealth is a tool that can expand abortion access.* Research shows that telehealth reduces barriers to care and can help patients access care earlier in pregnancy.<sup>6</sup>
- Overall, general telehealth policy in Colorado, including the state's Medicaid program, Health First Colorado, is expansive. Colorado:
  - Requires payment parity for telehealth services;
  - Requires coverage for audio-only (phone) telehealth;
  - Allows patients to receive care via telehealth from any location, including at home;
  - Prohibits Medicaid or other payers from requiring patients to have an established relationship with a provider prior to receiving care via telehealth;
  - Allows a broad range of healthcare professionals to provide telehealth for medication abortion care.
- Notably, there is no Health First Colorado coverage of abortion care, including via telehealth.
- Given the threat that many states may severely restrict or ban abortion access, flexibilities 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](#)

---

<sup>1</sup>NARAL Pro-choice Colorado - <https://naralcolorado.org/laws-policy/in-our-state>

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

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

<sup>4</sup>[Colorado Medicaid Manual](#)

<sup>5</sup><https://www.nytimes.com/2022/05/04/upshot/polling-abortion-states.html>

<sup>6</sup>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.

## Policy Impacting Provision of Telehealth for Medication Abortion Care in Colorado

- **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.<sup>7</sup>
  - **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.
- **Intrusive, inequitable, and burdensome certification requirements:** Colorado requires a practitioner billing Medicaid for an abortion to submit additional documentation<sup>8</sup> with the claim, including to file a certification statement regarding the eligibility for reimbursement of such abortion services based on incest, rape,<sup>9</sup> or life<sup>10</sup> endangerment.<sup>11</sup>
  - **Impact:** Patients already undergo informed consent as part of the standard medical care.
  - **Impact:** This requirement saddles providers with unnecessary administrative burdens and is not medically necessary.

## Policy Impacting Coverage of Telehealth for Medication Abortion Care in Colorado:

- **There are no coverage protections for patients using private insurance:** While there is no prohibition on coverage for abortion services in private insurance plans, many payors do not cover abortion services in Colorado, including for telehealth. And abortion is not covered in insurance policies for public employees.<sup>12</sup>
  - **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.<sup>13</sup>
- **Health First Colorado is prohibited from covering most abortion services, including via telehealth:** 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.
  - **Impact:** A lack of coverage can create insurmountable barriers for women already struggling to get affordable health care.<sup>14</sup> 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.<sup>15 16</sup>
- **In Colorado, there is no guaranteed coverage for asynchronous store and forward or only audio-only telehealth visits<sup>17</sup>:** Private insurers may reimburse for these visits, but are not required to do so.
  - **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.

<sup>7</sup> <https://law.justia.com/codes/colorado/2016/title-12/health-care/article-37.5>

<sup>8</sup> <https://hcpf.colorado.gov/OB-manual#abort>

<sup>9</sup> <https://hcpf.colorado.gov/sites/hcpf/files/Certification%20Statement%20for%20Abortion%20for%20Sexual%20Assault%20%28Rape%29%20or%20Incest%20-%20Rev%20Dec%202021%20final.pdf>

<sup>10</sup> <https://hcpf.colorado.gov/sites/hcpf/files/Cert%20Stmt%20Abort%20Save%20Life%20Mother%20-%20rev%20Mar%202021.pdf>

<sup>11</sup> <https://law.justia.com/codes/colorado/2017/title-25.5/indigent-care/article-3/part-1/section-25.5-3-106/>

<sup>12</sup> <https://www.guttmacher.org/fact-sheet/state-facts-about-abortion-colorado#>

<sup>13</sup> [Survey: Less Than Half Of Americans Have Savings To Cover A \\$1,000 Surprise Expense | Bankrate](https://www.bankrate.com/finance/savings/survey-less-than-half-of-americans-have-savings-to-cover-a-1000-surprise-expense/)

<sup>14</sup> [Fact Sheet: About the Hyde Amendment - All\\* Above All](https://www.guttmacher.org/fact-sheet/about-the-hyde-amendment-all-above-all)

<sup>15</sup> [Restrictions on Medicare Funding for Abortions: A Literature Review | Guttmacher Institute](https://www.guttmacher.org/research/restrictions-on-medicare-funding-for-abortions-a-literature-review/)

<sup>16</sup> <https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=10145&fileName=10%20CCR%202505-10%208.700> (10 CCR 2505-10 8.700)

<sup>17</sup> "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/>

- **No coverage for translation services:** Providers participating in Health First Colorado are required to provide translation services for Medicaid beneficiaries, including via telehealth.<sup>18</sup> 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.
  - **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:**

- Center for Connected Health Policy - [Telehealth in Colorado](#)
- [Southwest Telehealth Resource Center](#)

---

<sup>18</sup><https://www.medicaid.gov/medicaid/financial-management/medicaid-administrative-claiming/translation-and-interpretation-services/index.html>