



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU
Governor

August 7, 2020

Governor's Veto Message Regarding House Bill 685

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on August 7, 2020, I have vetoed House Bill 685.

This legislation is unnecessary, and would threaten the State's ability to receive federal funding for our many healthcare programs in the middle of a global pandemic. The vast majority of the commercially insured in New Hampshire already have coverage of abortion services. The legislation also raises constitutional concerns by forcing employers who morally object to offering coverage that violates their religious tenets.

Federal law clearly states that the United States Department of Health and Human Services may not provide funds to states who discriminate against a health insurance plan on the basis that the plan does not provide coverage for abortions. This provision is known as the "Weldon Amendment," and it has been adopted in every Federal HHS appropriations act since 2005. House Bill 685 clearly violates this provision of Federal law by requiring every insurance plan in New Hampshire that covers maternity benefits to provide coverage for abortion services. Therefore, by enacting this bill, the State of New Hampshire would risk losing federal funding for its many healthcare programs.

The bill's attempt to mitigate the risk to the State's federal funding by giving the Commissioner the discretion to grant exemptions is not sufficient to protect the State's interests. The bill's requirements would clearly make the State ineligible for significant federal funds, and allowing rather than requiring the Commissioner to provide necessary exemptions does not guarantee to the citizens of our State that their critical programs will not be put at risk.

This bill would risk the States federal healthcare funding in the middle of a pandemic, take away the freedom of choice for those employees and employers who object to being forced to partake in or provide abortion services, and expose the State to expensive litigation. Therefore, the costs and risks of this bill far outweigh its benefits.

For the reasons stated above, I have vetoed House Bill 685.

Respectfully submitted,

A handwritten signature in blue ink that reads "Christopher T. Sununu".
Christopher T. Sununu
Governor