

Children's Healthcare Is a Legal Duty, Inc.

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Katherine Blair
Office of Governor John Hickenlooper
136 State Capitol Bldg.
Denver, Colorado 80203

Dear Ms. Blair:

Our organization, Children's Healthcare Is a Legal Duty (CHILD), is a national membership organization with Colorado members. CHILD works to stop child abuse and neglect related to religious or cultural traditions. We are concerned that the Federal Government Employee Health Association Plan, one of the three insurance plans recommended to be the benchmark plan for Colorado, covers bills for Christian Science "treatment," which is a special argumentative form of prayer denying that disease even exists. We saw a letter from the Christian Science church asking you to choose it as the benchmark plan.

Decades ago hundreds of insurance companies would reimburse the bills Christian Science practitioners send for their prayer treatments. With the advent of managed care, however, most insurance companies required a medical diagnosis before they would pay for health care. We believe only about six insurance companies will pay for Christian Science treatments today.

CHILD opposes insurance reimbursements for prayers because they encourage parents to rely on prayer and religious ritual instead of medical care for sick children. They send a message that policymakers have endorsed prayer as a legal substitute for medical care of children, and churches have used those reimbursements as a rationale for obtaining religious exemptions in our child neglect laws.

For example, in 1989 Colorado enacted a strange exemption in its child neglect law at CRS 19-3-103. It stated, "No child who in lieu of medical treatment is under treatment solely by spiritual means through prayer in accordance with a recognized method of religious healing shall, for that reason alone, be considered to have been neglected or dependent within the purview of this article." One criterion for determining "a recognized method of religious healing" is that "Fees and expenses incurred in connection with such treatment are generally recognized as reimbursable

health care expenses under medical policies of insurance issued by insurers licensed by this state. . . .”

The exemption also applies to criminal non-support at CRS 14-6-101.

Although Colorado law still allows for court-ordered medical treatment over the religious objections of parents, this statutory religious exemption has curtailed reporting and investigation with tragic consequences for children.

Today the exemption in CRS 19-3-103 may be inoperative since the Colorado insurance industry does not generally recognize bills for spiritual treatments as reimbursable health care expenses.

However, if Colorado selects the Federal Government Employee Health Association Plan as its benchmark plan, then all insurance companies who wish to offer plans in your health insurance exchange will have to offer a policy reimbursing the bills Christian Science practitioners send for their prayers.

And if insurance companies are generally reimbursing for these prayers in Colorado, the state will again be telling parents that substituting these prayer treatments for medical treatment of sick children is not neglect or non-support—that parents have a legal right to do so unless someone reports them to Child Protection Services and courts order medical treatment.

Furthermore, we believe it is unconstitutional for the government to require the insurance industry to pay for anyone’s prayers. If a private company wishes to do so, it can, but a government entity should not be requiring it to do so.

This is personal to our family. Thirty-five years ago we lost our only son to a treatable illness because of relying on Christian Science “treatments.” We left the church immediately after his death and have become national advocates for the rights of children to medical care.

Also, my mother was a Christian Scientist. Month after month she paid \$620/month to a Christian Science practitioner to give her treatments. The practitioner lived thousands of miles away, never saw my mother, and rarely talked to her on the phone. We saw two letters in which the practitioner told my mother to sign checks and send them to her without filling in the amount.

If insurance companies pay those bills, we strongly suspect the practitioners will substantially raise their prices. The church founder, Mary Baker Eddy, in fact directed that “Christian Science practitioners should make their charges for

treatment equal to those of reputable physicians in their respective localities.”
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The Christian Science church spent hundreds of thousands of dollars lobbying Congress to require coverage for Christian Science treatment in the federal Affordable Care Act and failed. Furthermore, the ACA encourages our health delivery system to move to evidence-based practices, but there is no credible evidence that Christian Science treatment heals any disease.

Please choose a benchmark plan that reimburses only state-licensed health care and possibly some ancillary services prescribed by a medical doctor.

Sincerely,

Rita Swan

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