

# Increased Adoption of Fertility, Reproductive Health and Family-building Benefits



## Market Outlook

Employers play a crucial part in ensuring employees have access to the health care they need and want. The importance of an employer's role in helping employees make essential health care decisions has become even more pronounced in the wake of the U.S. Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, which ended federal protections for abortion rights and permitted states to implement their own regulations. As a result of this ruling, reproductive health care became a key issue for employers in 2023. Some employers began offering separate reproductive health benefits, including covering related travel expenses with a relief fund or one-time bonus. Others enhanced abortion coverage under their group health plans to ensure employees have access to reproductive health care. This trend is likely to continue into 2024 as employers continue to navigate the complex legal environment surrounding women's reproductive health.



The *Dobbs v. Jackson* decision has also placed heightened importance on the issue of access to contraceptive services. On Jan. 30, 2023, the U.S. Department of Health and Human Services proposed a rule to strengthen access to birth control coverage under the Affordable Care Act (ACA). If finalized, this rule would allow women enrolled in ACA plans to obtain birth control, regardless of employer exemptions. The proposed rule would eliminate the moral exemption put in place in 2018 that allows employers to opt out of providing contraceptive services due to their moral convictions. Employers should continue to monitor this rule in 2024 and consider that providing employees with access to reproductive health care and contraception, even when not required by law, can help their organizations stay ahead in a tight labor market.

Since experts expect employers' labor challenges to continue in 2024, many employers are also expanding fertility and family-building benefits to attract and retain talented individuals. Family-building benefits are valued by employees regardless of their gender identity or relationship status. These benefits can provide services for single and LGBTQI+ employees as well as heterosexual and same-sex couples who depend on fertility treatment for their family-building journey. Family-building benefits can also include menopause support and treatment for testosterone deficiency. Savvy employers recognize fertility and family-building benefits as a crucial aspect of diversity, equity and inclusion (DEI) programs and ensure all employees have access to the resources and support they need to start a family.

Providing access to reproductive health care and family-building benefits is part of a growing trend of employers offering employees benefits that support their financial, mental and emotional well-being. Since work and family are two of the most important components of an individual's life, employers who support employees' family needs and expectations can show employees they're valued as human beings. Moreover, while family-building and reproductive health benefits often improve the attraction and retention of young generations of workers looking to start or grow their families, the impact of these benefits extends well beyond affected individuals; many employees want their employers to support women's health and DEI initiatives. Comprehensive family-building and reproductive health benefits demonstrate that the organization cares about all its employees. In turn, when employees feel welcomed and supported in the workplace, employee engagement, productivity, satisfaction and retention are likely to increase. This can also help boost the organization's employer brand to current and prospective employees and the public as well as improve its bottom line.