We have developed the Pro Repro Playbook to give employers guidance on developing and implementing benefits that support the reproductive health of their employees and their immediate family members regardless of their location in the U.S.

Our goal is to equip all employers across all industries – especially small and medium sized businesses and non-profits – with the Pro Repro Playbook so that the reproductive health of American workers is protected.

Amplify your voice: Tell us you support worker reproductive health protections at www.protectreproductivehealth.org/getinvolved and use #ProRepro to share your policies.

**What is Reproductive Health?**
According to the WHO, reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so.

Reproductive health services include contraception, abortion, maternal and newborn care, infertility, reproductive cancers, sexual or intimate partner violence, HIV/AIDS and other STIs, and additional health needs that cut across categories. Given anticipated legal changes to reproductive health access in the U.S., this playbook focuses primarily on issues around contraception, fertility, abortion and family planning services. We have focused primarily on these issues to protect equity in access to reproductive health services for America’s workers.

**Landscape:**
In the U.S., reproductive health services have been difficult to access and unaffordable for many. Unlike most OECD countries, the U.S. does not have federal policies providing family- and health-focused benefits for all Americans. The lack of a supportive ecosystem for reproductive health is expected to become more difficult, placing more of a burden on American workers and their employers. On June 24 2022, access to a full range of reproductive health services has been immediately banned in 13 states. An additional 13 states are expected to enact legislation limiting

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1 Guttmacher Institute definition of reproductive health services
access for a total of 26 states, home to 37.4 million people of childbearing age, with limited access to basic reproductive health services. These people will be at greater risk of poverty, potential displacement from the workforce, and potential criminalization for seeking these services.

From a business perspective, legal changes impacting access to reproductive health services presents a risk and an opportunity. Businesses that do not offer supplemental benefits to employees are expected to experience higher employee turnover due to employees seeking employment with organizations that do provide Pro Repro benefits and employees who leave the workforce - either temporarily or permanently - due to pregnancy and family-care obligations, and lower productivity due to workers’ absence and distraction due to reproductive health needs. B2C enterprises that do not provide Pro Repro benefits may experience lower revenue due to consumer preference for brands that support Pro Repro rights. Data suggests that businesses that provide Pro Repro benefits are more likely to retain employees, reduce turnover, and have a loyal, productive workforce.

Visit [www.protectreproductivehealth.org](http://www.protectreproductivehealth.org) to learn more about the economic benefits of protecting reproductive health access and the economic costs of limiting access to reproductive health services.

**The Pro Repro Playbook:**
This playbook outlines the process for implementing reproductive health protections and the key benefits that should be provided. Our approach was designed with the goal of creating equitable access to reproductive health services for all workers, regardless of their geographic location in the U.S., while avoiding legal risk for employees and employers. We've created worksheets to estimate cost per employee of certain benefits, provided sample policies, email templates and links to additional resources and articles that we think are helpful. **To use these resources, download and save these documents to your computer - you can then modify and customize them for your organization's purposes.** Options for each benefit are outlined using a good/better/best methodology, recognizing that each workplace has different resource capacities. We strongly encourage companies to offer the most comprehensive (aka “best”) benefits possible; at a minimum, all seven benefits should be provided.

Lastly, this is a living document. As we add new resources and improve the playbook, we encourage you to sign up to receive our updates going forward. If you have resources you’d like to share or questions about implementation, reach out to info@gender-ideal.org.

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[2 Fast Company](https://www.fastcompany.com) article.
Action 1. Leadership Alignment

Affirm with senior leadership and Human Resources/People, Legal team that new policies and benefits protecting reproductive health access for employees and their immediate family is an organizational priority.

Consider # of emps that will be impacted by state limitations to repro health and # of emps that qualify and currently use benefits.

Align vision via a company policy statement. Share with Finance team (for budgeting purposes).

Action 2. Research benefits options and complete cost/benefit model

Evaluate and estimate cost associated with offering the range of benefits (HR/People lead).

On-going. As state-level laws impacting reproductive health access are expected to change, we encourage companies to revisit policies and benefits on a quarterly basis and make revisions to plans based on expected versus actual costs and legal changes.

Action 3. Decision-making and Budget Allocation

Discuss and decide which benefits (good/better/best) will be provided to employees and their immediate family based on estimated costs. Work with Finance team to allocate funds and establish emergency distribution mechanism as needed.

Action 4. Implementation and Communication Planning

Coordinate with Legal and People/HR teams on how policies are best implemented given state laws and the communication preferences/records requirements of the organizations.

Action 5. Communication and Implementation

Communicate reproductive health policy, benefits, and resources to employees. Provide ongoing access to resources through company intranet/handbook.
Pro Repro Benefits:

After aligning senior leadership on the organization’s approach and written statement affirming protecting access to reproductive health services regardless of geographic location in the U.S., employers should provide the most comprehensive benefits (using #ProRepro’s “good/ better/ best” framing) to provide the following seven benefits:

- **Benefit 1:** Paid sick-leave for employees
- **Benefit 2:** Paid-family leave for employees
- **Benefit 3:** An Emergency Assistance and Wellness program (EAP) available for employees and their immediate family members
- **Benefit 4:** Comprehensive health-insurance that covers the full-cost of all FDA-approved birth control pills, drugs, products, and services, fertility and abortion services without cost-sharing. For companies that have a fully-insured health insurance plan, add a HRA (Health Reimbursement Arrangement) to provide supplemental reproductive health coverages for services that are not covered in states that may limit coverages
- **Benefit 5:** Reimburse travel costs to employees and their immediate family who need to travel out-of-state (or other predefined distance) to access reproductive health care services that explicitly includes:
  - Coverage of transportation, lodging, meals
  - Coverage of the cost of childcare if needed to care for young children who remain at home

For employees and their dependents that use company benefits plan, this benefit may be covered under a self-insured health insurance plan or covered under a HRA supplemental plan for fully-insured health plans. For employees and their immediate family that are not on the company benefits plan, this benefit can be included under a corporate travel policy.

- **Benefit 6:** An Emergency Fund that can be accessed by employees and their immediate family to provide upfront funds – within 48 hours - for costs associated with accessing reproductive health services
- **Benefit 7:** A relocation/remote work benefit for employees who want to relocate from states that have limited access to reproductive health services

At present, it is not illegal to aid or seek reproductive health services outside of states that limit access to those services. However, some states may pass legislation seeking to criminalize aiding or seeking access to reproductive health services outside of their borders. In consideration to this potential future legislation, we encourage companies to use language that is inclusive of all ‘reproductive health services’, to limit documentation and written record of employees who use these benefits and to implement travel benefits using a third-party administrator that can comply with HIPAA requirements.
In addition to protecting access to reproductive health services for employees and their immediate family, Pro Repro encourages businesses to take the following steps to support reproductive health protections broadly using their economic power:

- Implement a corporate policy prohibiting company gatherings/conferences/events in states that have limited access to reproductive health services
- Encourage your suppliers and subcontractors to extend similar protective reproductive health policies to their employees and immediate family
- Review your organization's donations to political candidates and political action campaigns (PACs) and cease making contributions to candidates and PACs that have any affiliation with anti-reproductive health stances. Going forward, commit to only supporting candidates and PACs that support protecting reproductive health services.
  - [Congressional scorecard on reproductive health](#) (search for Senators and Representatives)
  - [State legislators that support reproductive health access](#)
- In recognition that more than 10 million people of childbearing age do not have insurance and millions more do not have access to abortion services under certain states' Medicaid plans, donate to [abortion funds](#) that ensure free access to reproductive health services for all.
- Engage with your lawmakers and candidates to advocate for legal protections to business
- Advocate for laws that ensure access to all reproductive health services for all Americans (resource: [Don'tBanEquality.org](#))
<table>
<thead>
<tr>
<th>Action/ Benefit</th>
<th>Why This Matters</th>
<th>Who and How</th>
<th>Decision Points</th>
<th>Addtl Resources</th>
</tr>
</thead>
</table>
| **Action 1**: Leadership alignment on approach and written statement protecting reproductive health services  
Senior leaders (C-suite) align on the decision to protect the reproductive health of their employees and immediate families.  
Agree on a written statement that affirms the company’s commitment to protecting reproductive health care access for all employees and their immediate families. | Ensuring internal alignment among senior leadership will aid the budgeting, decision-making, implementation and communication process.  
In anticipation of changes in future state-laws regarding access to reproductive health care services, having a statement in place that ensures reimbursement for employees regardless of location affirms access to care for employees and their immediate families. | Head of HR/People or CEO should lead discussion, gathering concerns and outstanding questions that should be resolved through the process. Legal Counsel that assists on employment issues should participate.  
Helpful data for discussion:  
# of emps in 26 states that have limited access to repro services  
# of emps and dependents on current benefits plans (and # who are not) | Topics to be discussed:  
Align on commitment to Pro Repro benefits and endorse a written policy statement. Determine how, when and with whom Pro Repro statement will be shared.  
**Sample Pro Repro policy statement**  
**Good**: Policy used for driving benefits development (not shared)  
**Better**: Policy communicated to Employees when new benefits are announced  
**Best**: Policy is communicated publicly as part of benefits plan announcement | Legal considerations for implementation of benefits  
Map of reproductive health restrictions by state  
**Sample policies** (save this document to your computer and then you can edit) |
| **Action 2**: Evaluate new benefits options covering the 7 benefits outlined below using good/better/best options.  
Gathering data on the different benefits options along with the cost of provision is a critical step.  
Download and save the **Pro Repro Cost/Benefit Analysis worksheet** to develop different financial estimates depending on benefit costs. | HR/People team lead, engaging third-party benefits vendors.  
Using employee location data may help in estimating costs. HR and Budget team should estimate potential cost for this policy and budget accordingly. |  | **Pro Repro Cost/Benefit Analysis worksheet** (save this worksheet to your computer and then you can edit it) |
| **Benefit 1: Paid sick leave**  
In order to take care of health and wellness needs, including reproductive health care needs, all employees should have access to paid sick leave. | Employees that lack access to paid sick leave and paid time off are less able to address basic reproductive health care needs given that these services are typically accessed during regular business hours. Provision of these policies has measurable benefit to the | HR/People team craft a policy tailored to your workforce that provides the maximum possible benefit. Use the cost/benefit calculator to estimate the potential cost and benefit of providing paid sick leave. | Paid sick leave should be available to all employees, accruing immediately upon hire.  
**Good**: 5 days of paid sick leave annually  
**Better**: 8 days of sick leave annually, with reference to using sick leave for family care and reproductive health care needs, including therapeutic abortion (miscarriage and medicated) or | State-by-state paid sick leave regulations |
**Benefit 2: Paid family leave**
Paid family leave is a critical benefit for all caregivers regardless of gender.

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<thead>
<tr>
<th>Level</th>
<th>Description</th>
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<tbody>
<tr>
<td>Best</td>
<td>Unlimited as-needed sick leave (with availability of Short-term or Long-term disability benefit)</td>
</tr>
<tr>
<td>Better</td>
<td>Paid maternity leave for 12 weeks</td>
</tr>
<tr>
<td>Good</td>
<td>Paid family leave, including for adoption/surrogacy up to 12 weeks</td>
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**Benefit 3: Emergency Assistance Program and Wellness benefits (EAP)**
EAPs are a benefit that is generally made available to all employees and their immediate family.

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<thead>
<tr>
<th>Level</th>
<th>Description</th>
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<tbody>
<tr>
<td>Best</td>
<td>Full coverage of a range of reproductive health services, including abortion, and travel coverage</td>
</tr>
<tr>
<td>Better</td>
<td>Abortion services and travel reimbursement coverages (limited amount)</td>
</tr>
<tr>
<td>Good</td>
<td>ACA-covered, FDA approved care</td>
</tr>
</tbody>
</table>

**Benefit 4: Comprehensive health care insurance**
via employer-offered healthcare insurance. Update as needed health insurance offerings to cover the full-cost of all FDA-approved birth control pills, drugs, products, fertility and abortion services without cost-sharing or deductible requirements.

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<thead>
<tr>
<th>Level</th>
<th>Description</th>
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<tbody>
<tr>
<td>Fully-insured health plans</td>
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<tr>
<td>Self-insured health plans</td>
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<tr>
<td>FDA-approved contraceptives</td>
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<tr>
<td>FDA birth control list</td>
<td></td>
</tr>
<tr>
<td>Insurance limitations - state by state</td>
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</tbody>
</table>

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<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
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<tbody>
<tr>
<td>HR/People team craft a policy tailored to your workforce that provides the maximum possible benefit. Leave policies that do not distinguish caregiving roles by gender and include paid family leave for adoption/surrogacy are most inclusive.</td>
<td>Use the cost benefit calculator to estimate the cost and benefit of providing paid family leave.</td>
</tr>
<tr>
<td>Supporting employees who chose to expand their families demonstrates a commitment to familial, maternal and fetal health and wellness, all critical components of a comprehensive reproductive health policy.</td>
<td>HR/People team should consult with third-party benefits provider to evaluate EAP options and determine what supports exist that specifically support reproductive health needs. Use our EAP email template to engage with your benefits provider. Use the cost/benefit calculator to estimate the expense of an EAP.</td>
</tr>
<tr>
<td>Matching employees who chose to expand their families demonstrates a commitment to familial, maternal and fetal health and wellness, all critical components of a comprehensive reproductive health policy.</td>
<td>Factors that inform good/better/best include, the cost of services, how fees are structured and how extensive services provided are. Refer to the cost/benefit calculator to view our good/better/best methodology.</td>
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<tr>
<td>State-by-state paid family leave regulations</td>
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<tr>
<td>PL-US (sample policy and other resources)</td>
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<tr>
<td>Parento</td>
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**Satisfaction, productivity and loyalty of workforce**.

**Menopause need.**

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<tr>
<th>Description</th>
<th>Details</th>
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<tbody>
<tr>
<td>Depending on your health plan, a travel reimbursement policy coverage (Benefit 5) may be added to a current plan or</td>
<td>Cost of these coverage changes is usually minimal to the employer. Refer to our guidance for fully-insured and self-insured health plans for additional details on how to structure coverages.</td>
</tr>
<tr>
<td>Half of all Americans get health-insurance through an employer. Providing access to a full-suite of reproductive health services via employer-sponsored insurance plans is a critical and affordable way to ensure reproductive health protections. 99% of women have used contraception; abortion medications represent 50% of all abortions in the U.S. as of 2020.</td>
<td>Cost of these coverage changes is usually minimal to the employer. Refer to our guidance for fully-insured and self-insured health plans for additional details on how to structure coverages.</td>
</tr>
<tr>
<td>HR/People Benefits Administrator Administrator conducts a review and provides results of any limitations under current health plans via your third-party benefits administrator. We have templates for companies with fully-insured health plans and self-insured health plans. Use our email template to start the audit and coverage change process with your third-party benefits provider. Ensure that you engage with your benefits administrator prior to your next open enrollment period.</td>
<td>Ensure that you engage with your benefits administrator prior to your next open enrollment period.</td>
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**Good benefits and considerations**

**Indeed EAP Suggestions**

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#ProRepro Playbook V1.0

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**State-by-state paid family leave regulations**

**PL-US (sample policy and other resources)**

**Parento**

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**EAP benefits and considerations**

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**Indeed EAP Suggestions**
**Benefit 5: Travel reimbursement policy**
Supplemental travel policy that fully-reimburses the cost of employees and immediate family members who need to travel out-of-state to access reproductive health care. These policies should include:
- Coverage of transportation, lodging, meals/per diem
- Coverage of the cost of childcare if needed to care for young children who remain at home.
- Costs incurred by a travel companion

Inability to access reproductive health services in a timely manner will result in women leaving the workforce due to health complications and childcare responsibilities. 46% of all pregnancies are unintended and currently 34% of those pregnancies end in abortion. Nearly 59% of abortion recipients already have one child.

HR/People and Budget
There are two approaches to a travel reimbursement benefit.
For employees and dependents participating in employer health benefits:
Travel reimbursement can be included in health insurance coverage/HRA – this is a preferred approach as it should qualify as pre-tax expenses as a medical benefit.
For employees not participating in employer health benefits and their immediate family (this can and should include employees on medicaid):
Medical travel reimbursement can be included in corporate travel policy. If your company uses a third-party travel benefit provider, coordinate with that firm to ensure timely repayment and coverage of these expenses.

**Benefit 6: Emergency Funds**
An emergency relief fund can serve two purposes:
1. It provides immediate access to funds in order to seek out reproductive health services for employees and their immediate family who do not have funds available to cover travel and medical care expenses.
2. It directs funds for reproductive health and wellness that can be accessed by employees and their immediate family to reimburse for costs associated with accessing reproductive health services that
Six out of 10 workers do not have sufficient savings to cover unexpected medical costs. 49% of abortion seekers live below the federal poverty line. Ensuring that funds can be immediately deployed to employees when needed is important.

HR/People & Budget teams can establish an emergency fund that employees can access confidentially and without providing identifying details about fund use or receipts*. Funds are set up to be disbursed quickly to an employee’s PayPal or other personal bank account.

Emergency funds may be set up as an advance/short-term loan for benefits that will be covered and reimbursed under HRA/health insurance benefits.

Critical components of this benefit are a quick turn-around/release of requested funds direct to employees. Also important is not seeking detailed medical information from employees. This benefit can be extended to employees and their immediate family members who are not covered under the employers’ health insurance plan.

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<thead>
<tr>
<th>Good</th>
<th>Better</th>
<th>Best</th>
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<tbody>
<tr>
<td>$500</td>
<td>$1000</td>
<td>No $ limit</td>
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Guttmacher Institute Fact Sheet on abortion
#ProRepro cost/benefit analysis worksheet
SHRM Travel Policy Resource
Canary platform - Emergency relief fund platform
Thrivepass
Forma Espresa


**Benefit 7: Relocation Benefits**  
Implement a policy that allows for remote-work, internal job transfers or reimbursement for moving/relocation expenses for employees who want to relocate from states that have limited access to reproductive health services.

A PerryUndem survey found that half of workers would consider moving out-of-state if they were based in a region that was banning access to reproductive health services. Employers should support these workers with flexible location options and relocation support, especially in states that criminalize seeking abortion services.

HR/People team and Managers of People should work to identify the job functions that could be approved for remote work. If remote work is not an option, options for internal job transitions should be discussed. As possible, HR/People should consider approving some budget to cover a portion of relocation expenses for employees who may relocate to other company offices from states that have put limits on reproductive health services.

**Good:** A relocation policy that allows workers to relocate from a state that has limitations on reproductive health services to a state where the company is registered and has operations (no reimbursement).

**Better:** A relocation policy that provides some reimbursement for cost (pre-set amount).

**Best:** A relocation policy that provides significant cost coverage

This policy focuses on ensuring worker retention as new restrictions are implemented.

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Action 3: Budget evaluation and Decision-Making

Ensuring an inclusive decision-making process with realistic budget expectations and impact should ensure a smooth roll-out and provision of benefits going forward.

Key participants: HR/People and Finance leadership

Use the cost/benefit worksheet to create financial projections of the potential costs incurred through these benefits. Use the good/better/best estimation to determine how expansive the benefits can be based on available budget allocation. Consider how...
many qualifying employees are currently using your company's benefits offerings; anticipate potential changes to utilization based on these benefits.

Record decisions on which version (good/better/best) of each benefit will be provided.

<table>
<thead>
<tr>
<th>Action 4: Implementation and Communication Planning</th>
<th>Mapping a clear implementation and communication plan for new benefits will ensure employees understand clearly how their reproductive health will be protected by your organization.</th>
</tr>
</thead>
<tbody>
<tr>
<td>This process should involve Legal Counsel (to align on communication strategy), Budget (to align on payments and accounting) and HR/People team.</td>
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<tr>
<td>Given that Pro Repro benefits become less expensive through employer benefits plans, consider whether an initiative focused on encouraging employees to use company benefits offerings would be beneficial.</td>
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</table>

Given the deeply personal nature of reproductive health, ensuring total confidentiality for employees and their immediate family members who seek these benefits is critical to ensuring that benefits are utilized when needed.

Given the potential for future criminal liability of seeking or aiding reproductive health services in certain states, having no written documentation about who accesses these services may be important for employers and employees.

Most of the benefits above can and should be administered by third-parties. That said, HR/People and Legal should brainstorm what a confidential channel of communication is for employees to ask for information about these benefits. Once communication channels and access is established, it's important to communicate this clearly to employees to ensure trust in communication. A phone number/hotline is a better option to support the entire workforce and to limit written communication/inquiry of benefits.
<table>
<thead>
<tr>
<th>As decisions on new benefits are determined, work with third-party benefits administrators to establish when benefits will take effect, how employees can easily and confidentiality access benefits, and how on-going communication/support between employees, HR and 3rd party providers will flow.</th>
<th>HR Lead, in coordination with third-party Benefits administrators. Benefits may be communicated using neutral language such as “medical benefits that can’t be accessed within [some radius] due to availability of services” or “access to needed reproductive health services”.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirm how emergency funds/prepaid travel costs will be disbursed and how quickly they can be released.</td>
<td>HR lead in coordination with third-party benefits administrator, Finance and Legal. Align with Legal and Finance on what, if any, documentation and receipts will be required for reimbursements. Normal travel receipts can be provided for travel reimbursement. Reimbursement of cost for reproductive health services received should not require receipts per HIPAA reqs.</td>
</tr>
<tr>
<td>Draft communication explaining new reproductive health benefits for employees, detailing how employees and their immediate family can access the full-range of reproductive health services and the steps that the company will take to protect the privacy of employees from legal threats. Encourage employees to share this communication with all immediate family members that are of childbearing age.</td>
<td>Data shows that a majority of workers are unaware of what reproductive health services are covered by their health insurance. Providing clear information will help alleviate concern and provide clarity on how benefits can be accessed. HR/People, Legal and Communication team should collaborate on how to provide this information clearly to all workers. This may be via email, it may be via print-out or an all-hands meeting depending on language skill and access to technology. Consider whether these benefits need to be shared in multiple languages.</td>
</tr>
<tr>
<td>Action 5: Communicate, Implement and Measure Benefits</td>
<td>Data shows that a majority of workers are unaware of what reproductive health services are covered by their health insurance. Providing ways that this information can be accessed at any time - and especially in a situation where state-laws may be changing frequently - provides clarity for employees about how to protect their and their families’ health. This builds goodwill and trust among your workforce.</td>
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<tr>
<td>Action 6: On-Going evaluation of legal changes that can impact employees and their immediate</td>
<td>HR/People and Communications Beyond communicating this information and changes to benefits to employees, it’s important to have a reference point where all of this information lives, is updated, and can be accessed by employees. Teams should work together to update information and determine how it will be updated in a timely fashion as state-laws change going forward.</td>
</tr>
<tr>
<td>Action 6: On-Going evaluation of legal changes that can impact employees and their immediate</td>
<td>Refer to resource links at the end of this document.</td>
</tr>
<tr>
<td>Family Members’ Access to Reproductive Health Services</td>
<td>Laws Change State-by-State. Consider a quarterly re-evaluation of laws that impact employees in different states and their impact on potential cost.</td>
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</table>
| On a semi-annual or annual basis, calculate the number of employees or their immediate dependents that have utilized reproductive health benefits and the actual cost of these benefits. | HR/People and Finance team
Compare whether actual use is greater or lesser than estimated budget. Consider adjusting budget going forward to accommodate for revised expense. |
Sample policies:
- Amalgamated Bank
- Levi Strauss & Co

Sample Company Communications:
- Email to employees from Pyn
- Starbucks’ communication to partners
- Yelp CEO statement
- Salesforce policies

Employee Resources:
- Plan C (information about medicated abortions)
- Medicated abortion finder (from Plan C)
- Aid Access (medicated abortion resources)
- Searchable location map of reproductive and sexual health clinics
  - Patient Forward
  - Hey Jane
  - Choix
  - Abortion Access by State (Interactive Map)
  - Brigid Alliance

Additional Resources for Employers:
- RHIA Ventures Guidance (October 2021)
- Hidden Value: The Business Case for Reproductive Health
- BSR Guide (2020)
- Fast Company article about complexities of insurance coverage (2022)
- 8 Ways Tech Companies Can Support Reproductive Health
- Legal Risks of Covering Abortion Procedures for Employers
- Episode 3: Employee Benefit Impact of Restrictions on Abortion, Contraceptive and Prenatal Services
- Legal considerations for implementation of benefits