

State Variation in Health Insurance Coverage Among Same-Sex Couples

Gilbert Gonzales, MHA

Population Association of America

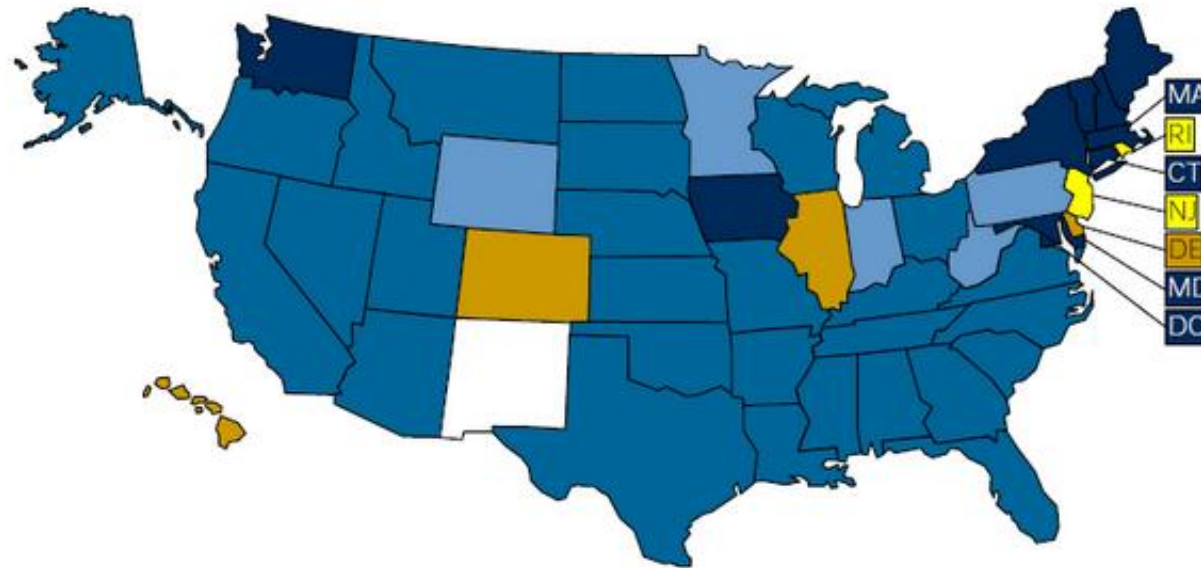
New Orleans, LA







April 12, 2013

Background: Who are same-sex couples?

- Sexual minorities
 - Lesbian, Gay & Bisexual (LGB)
- Partnered
 - Married
 - Civil Union
 - Domestic Partnership
 - Unmarried, but cohabitating

States differ in their policies on same-sex couples



-  States with statute or judicial decision allowing same sex marriage (9 states and D.C.)
-  States with statute allowing civil unions (2 states)
-  States with statutes allowing civil unions and constitutional and/or statutory bans on same sex marriage (DOMA) (4 states)
-  States with constitutional bans on same sex marriage (DOMA) (30* states)
-  States with statutory bans on same sex marriage (DOMA) without civil unions (5 states)
-  State with no legislation on same-sex marriage or civil unions

* California's constitutional ban on same-sex marriage has been ruled unconstitutional by federal courts and is currently before the U.S. Supreme Court.

Why does marriage matter?

- Most Americans are covered through a family member's employer health plan
 - “Legal” spouse
 - Dependent children

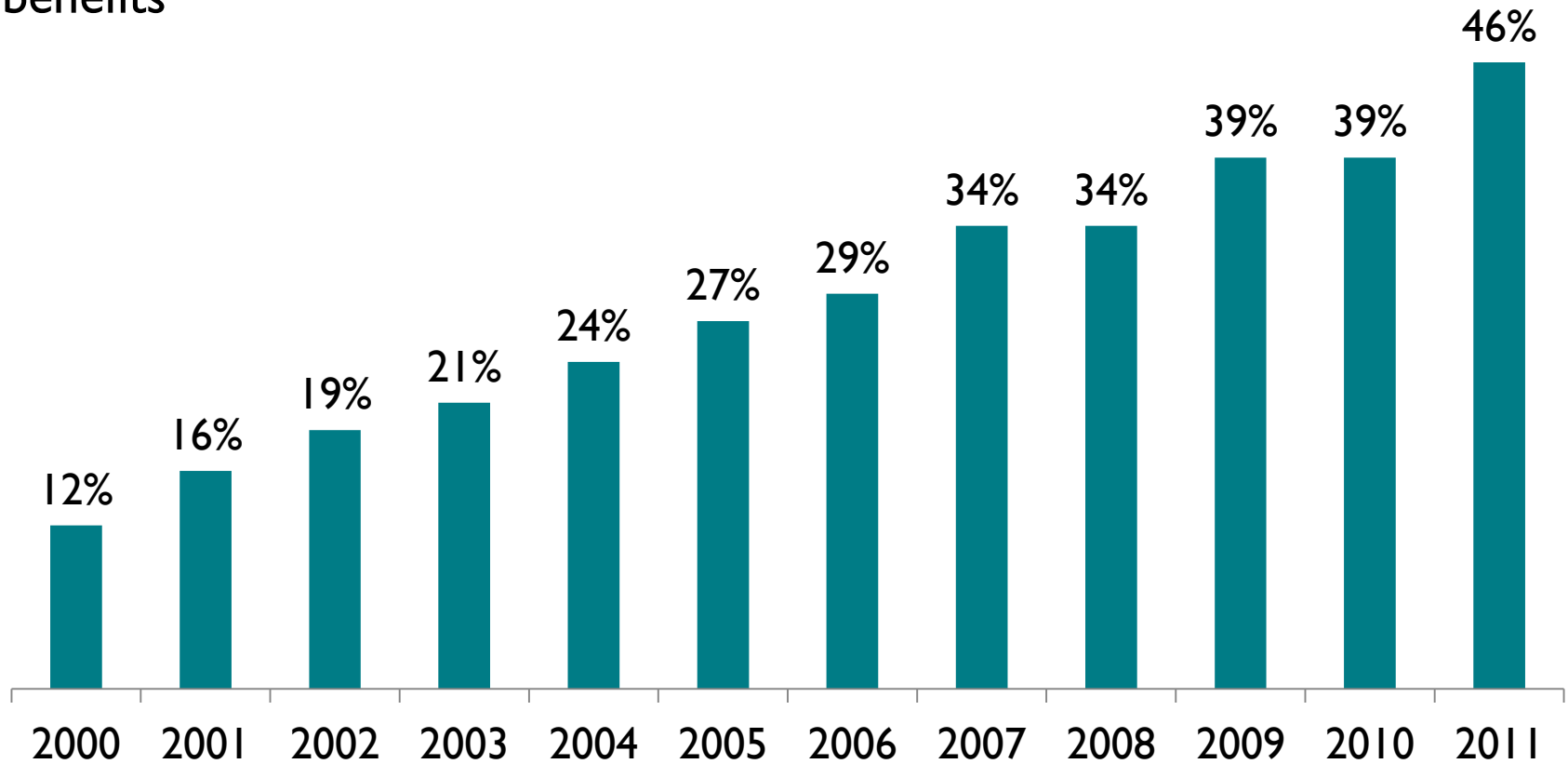
Definition of Eligible Dependents

The individuals listed on the chart on the following page are considered eligible dependents for the Plan. In addition to specifying criteria for coverage, the chart also includes information as to whether the dependent is considered qualified for favorable tax treatment under the Plan.

Relationship to Employee	Criteria for Coverage	Is Dependent Qualified for Tax Favored Treatment? (1)
Spouse	Must be legally married Your spouse must not be working full-time for an employer and receiving cash or credits 1) in place of medical coverage or 2) in exchange for medical coverage with a deductible of \$750 or greater.	Qualified

The role of employers

Large employers (500+ employees) offering same-sex domestic partner benefits



Source: 2011 Mercer National Survey of Employer-Sponsored Health Plans

Federal barriers to coverage

- **Employee Retirement Income Security Act (ERISA)**
 - Health insurance coverage is mandated for same-sex spouses in 16 states, but state mandates only affect fully-insured employers (42% employees)
 - Self-insured employers are regulated by the federal government, not states
- **Defense of Marriage Act (DOMA)**
 - Does not recognize same-sex unions at the federal level
 - Insurance for same-sex spouses treated as taxable income (adds \$1,000 annually)

Source: Badget MVL. The economic value of marriage for same-sex couples. *Drake Law Review*. 2010.

What are the outcomes?

- Men and women in same-sex couples are less likely to have health insurance

BRFSS (Buchmueller & Carpenter, 2010)

CPS (Ash & Badget, 2006)

NHIS (Heck et al., 2006)

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- *What can the American Community Survey tell us about national and regional disparities in health insurance coverage?*

Methods

1. National-level disparities
2. Adjusted state-level disparities in ESI
3. Adjusted disparities in ESI by state marriage policy

GLB Population in the ACS

- Same-sex spouses / unmarried partners

3 What is Person 1's sex? *Mark (X) ONE box.*

Male Female

2 How is this person related to Person 1? *Mark (X) ONE box.*

<input type="checkbox"/> Husband or wife	<input type="checkbox"/> Son-in-law or daughter-in-law
<input type="checkbox"/> Biological son or daughter	<input type="checkbox"/> Other relative
<input type="checkbox"/> Adopted son or daughter	<input type="checkbox"/> Roomer or boarder
<input type="checkbox"/> Stepson or stepdaughter	<input type="checkbox"/> Housemate or roommate
<input type="checkbox"/> Brother or sister	<input checked="" type="checkbox"/> Unmarried partner
<input type="checkbox"/> Father or mother	<input type="checkbox"/> Foster child
<input type="checkbox"/> Grandchild	<input type="checkbox"/> Other nonrelative
<input type="checkbox"/> Parent-in-law	

3 What is Person 2's sex? *Mark (X) ONE box.*

Male Female

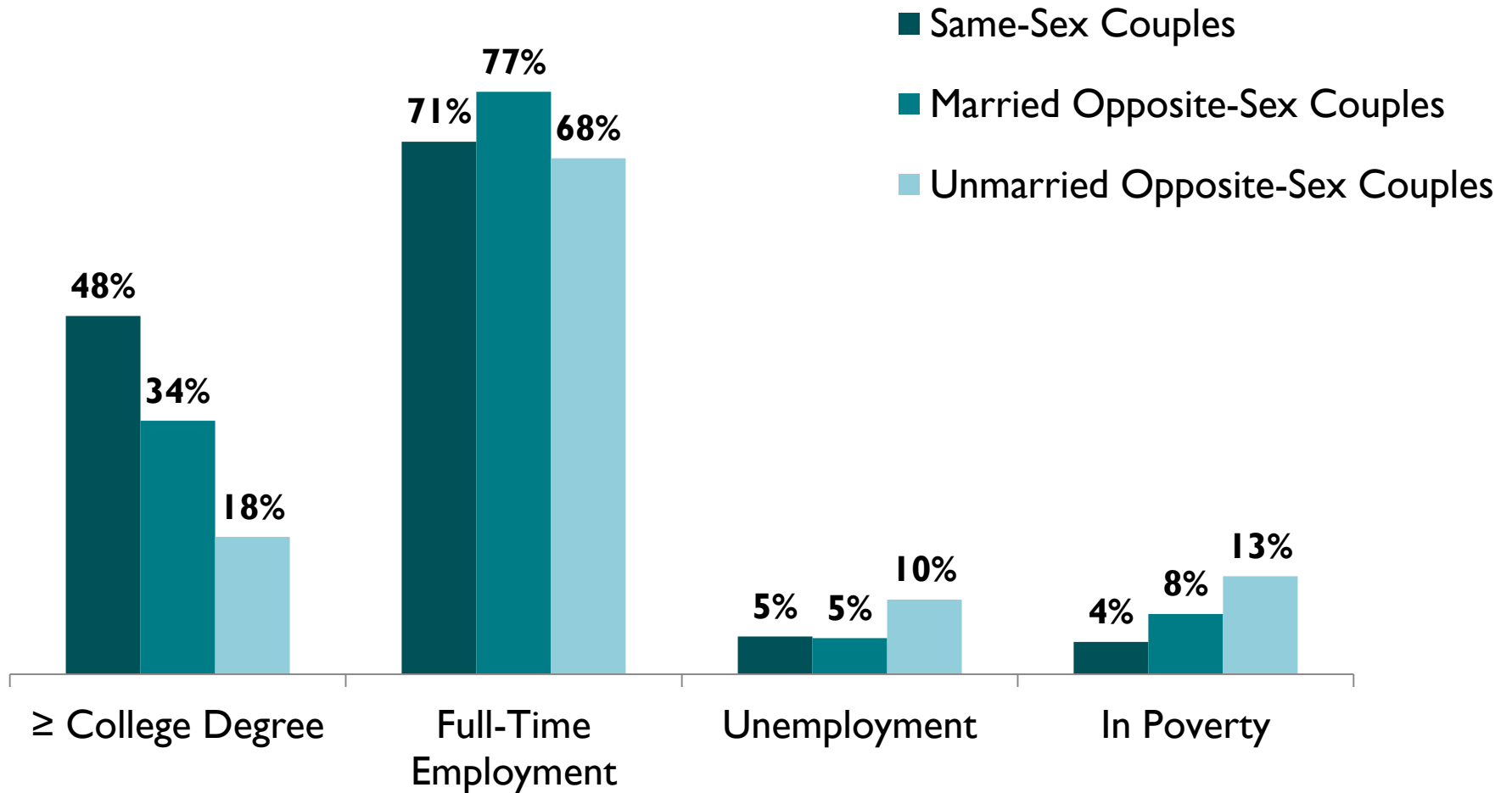
Control Variables & Outcomes

- Educational attainment
- Age
- Sex
- Race
- Employment
- Hours Worked
- Industry
- Own child in household
- Citizenship
- Health Insurance
 - Employer-Sponsored Insurance (ESI)
 - Individual
 - Medicare
 - Medicaid
 - Uninsured

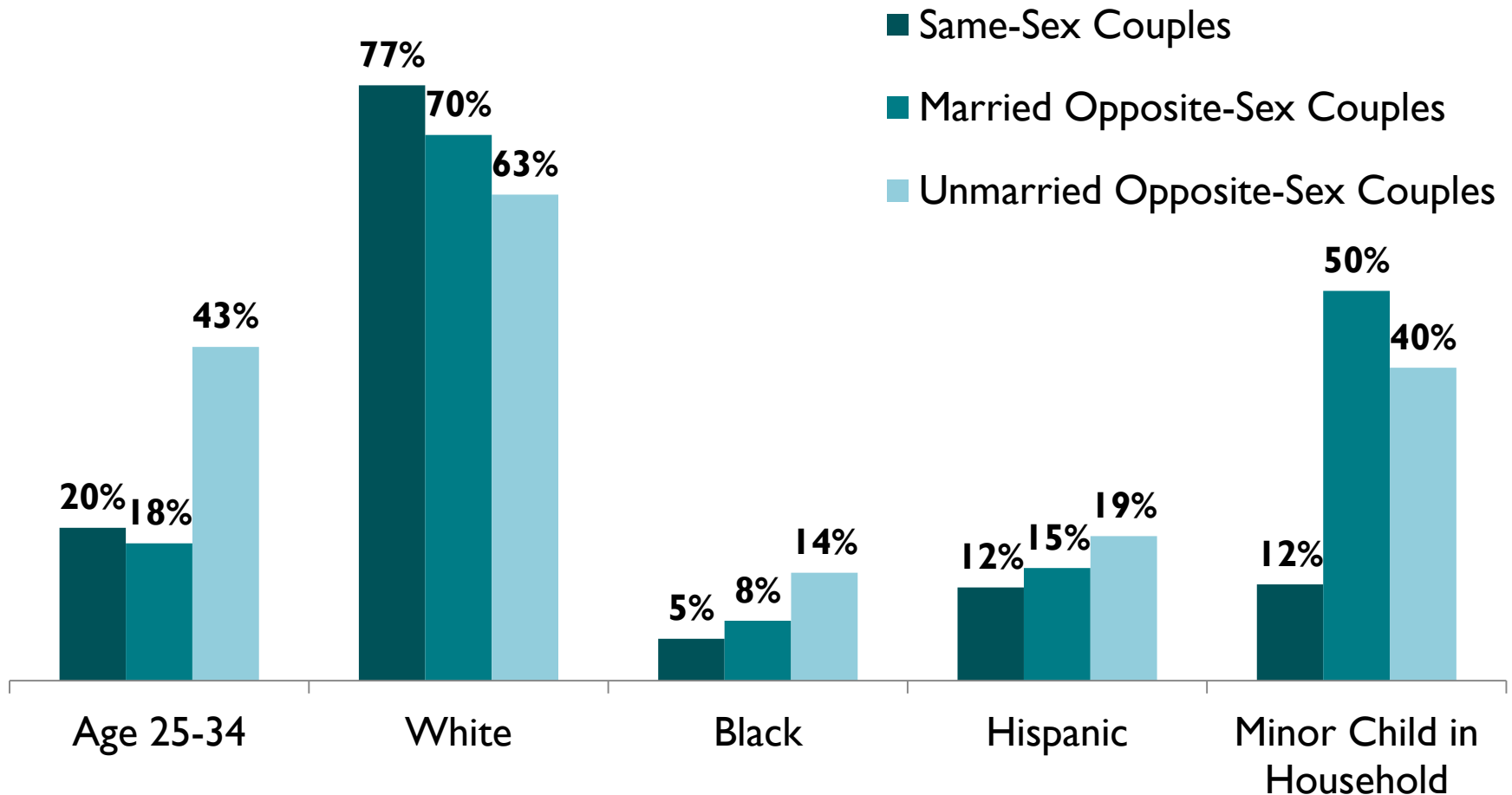
Limitations to the ACS

- **Missing Information**
 - Sexual orientation and gender identity
 - Health status
 - Firm size
 - Source of coverage (own ESI or dependent)
- **Missing Same-Sex Couples**
 - If identified as roommates or unrelated adults
 - If neither is the respondent

Economic Characteristics

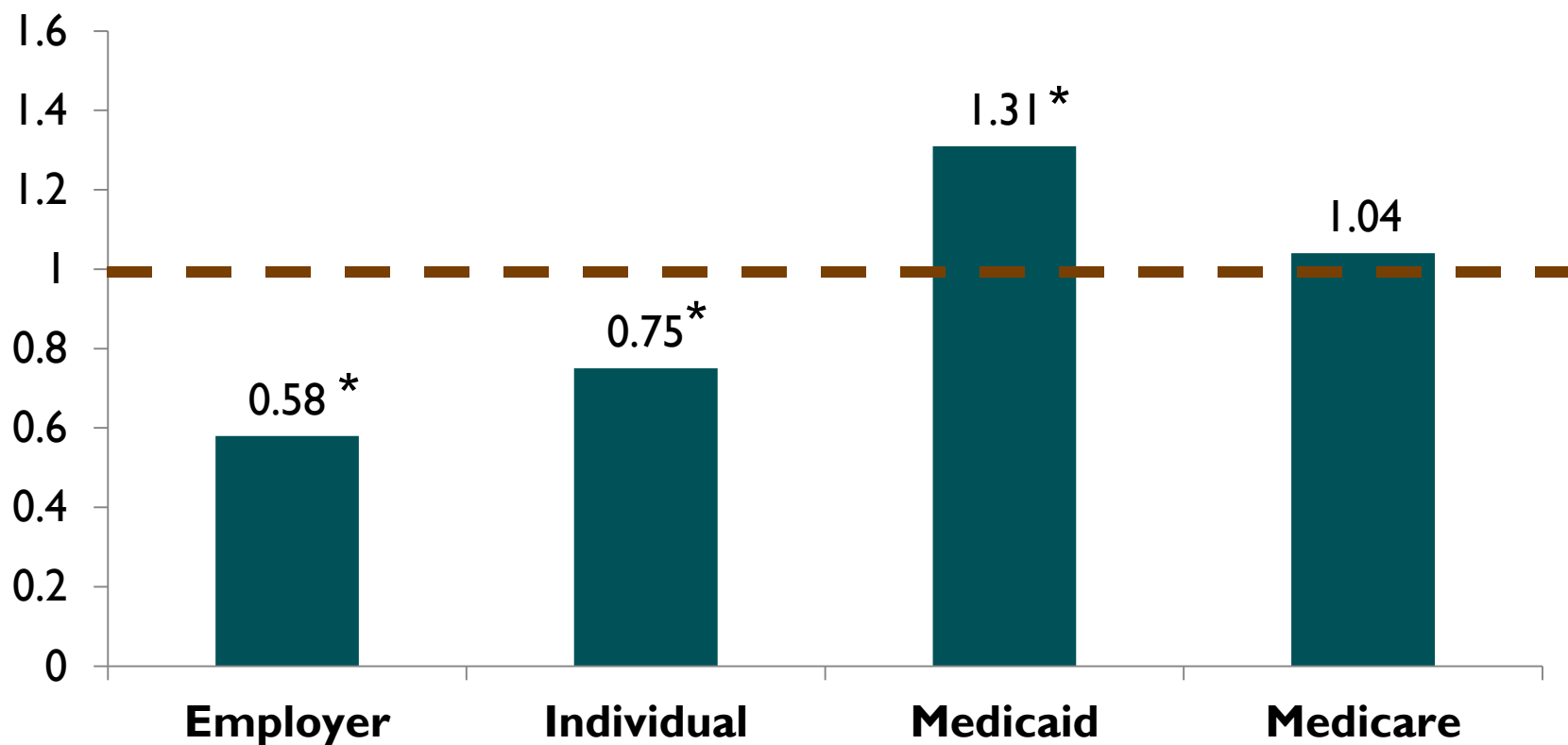


Demographic Characteristics



Disparities in Insurance: Men

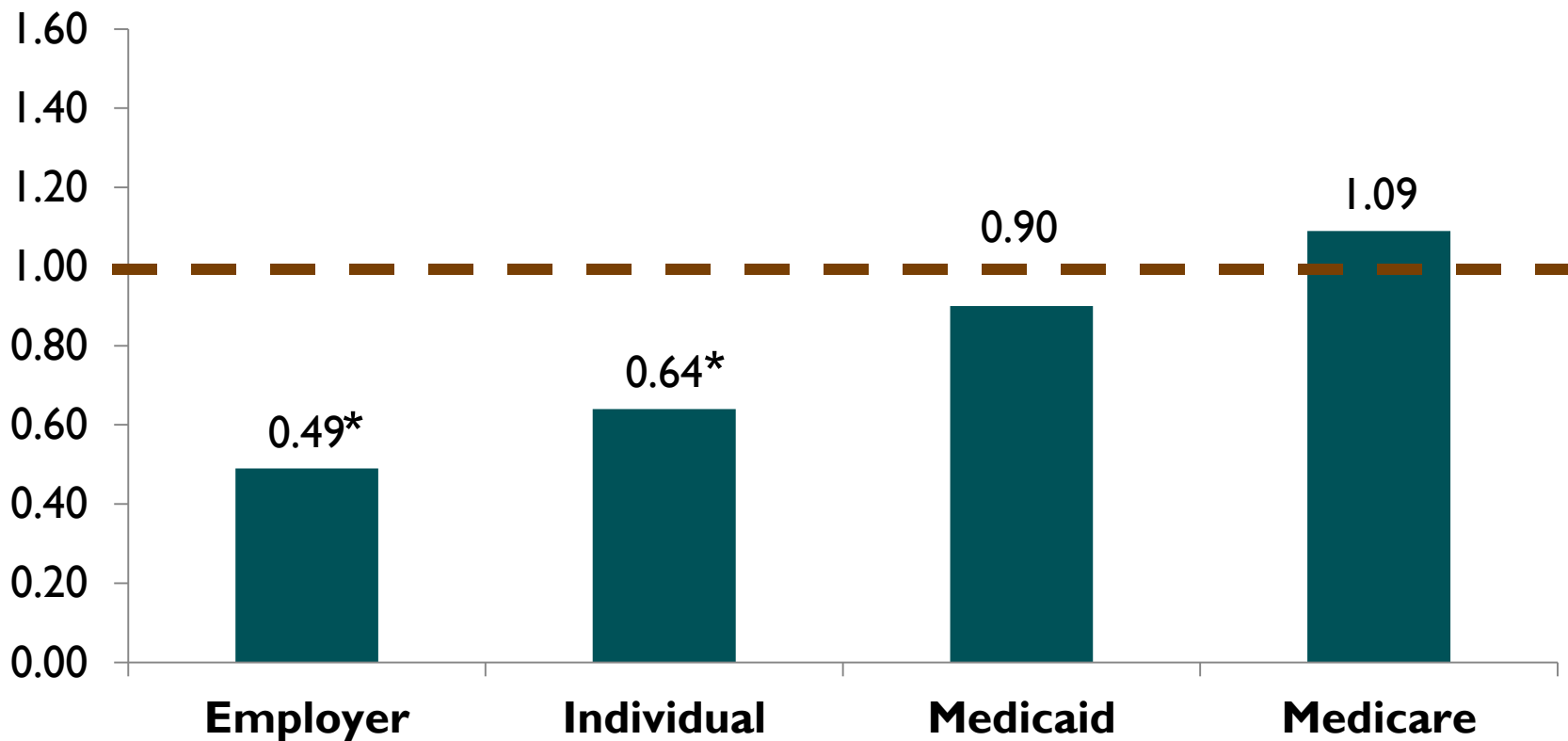
Compared to married men in opposite-sex relationships



Adjusts for race/ethnicity, age, employment, industry, income, region, citizenship, minor child, survey year
Source: American Community Survey, 2008-2010. * indicates $p < 0.05$

Disparities in Insurance: **Women**

Compared to married women in opposite-sex relationships

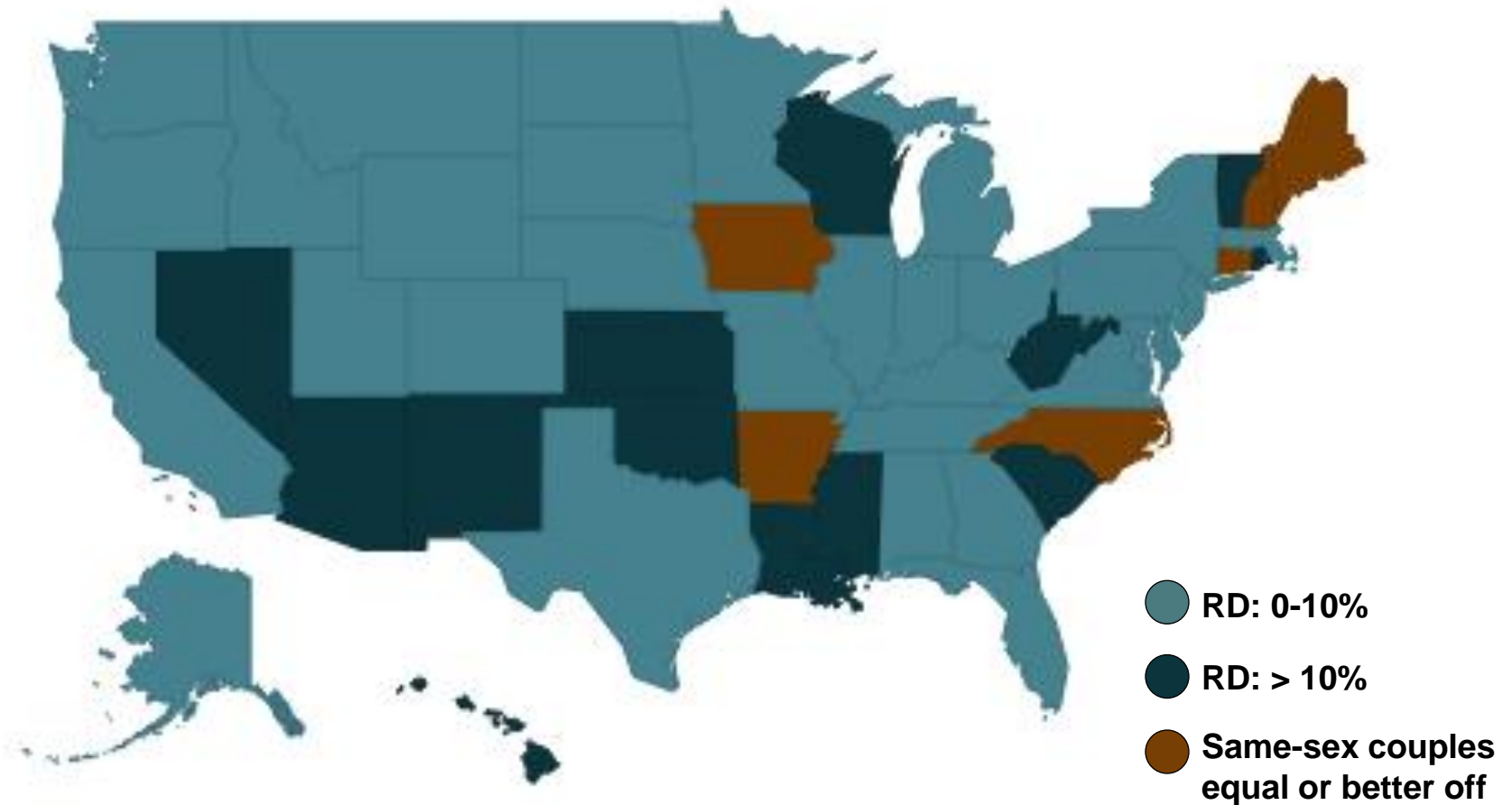


Adjusts for race/ethnicity, age, employment, industry, income, region, citizenship, minor child, survey year
Source: American Community Survey, 2008-2010. * indicates $p < 0.05$

Where are the coverage gaps in ESI?

Coverage Gaps in ESI

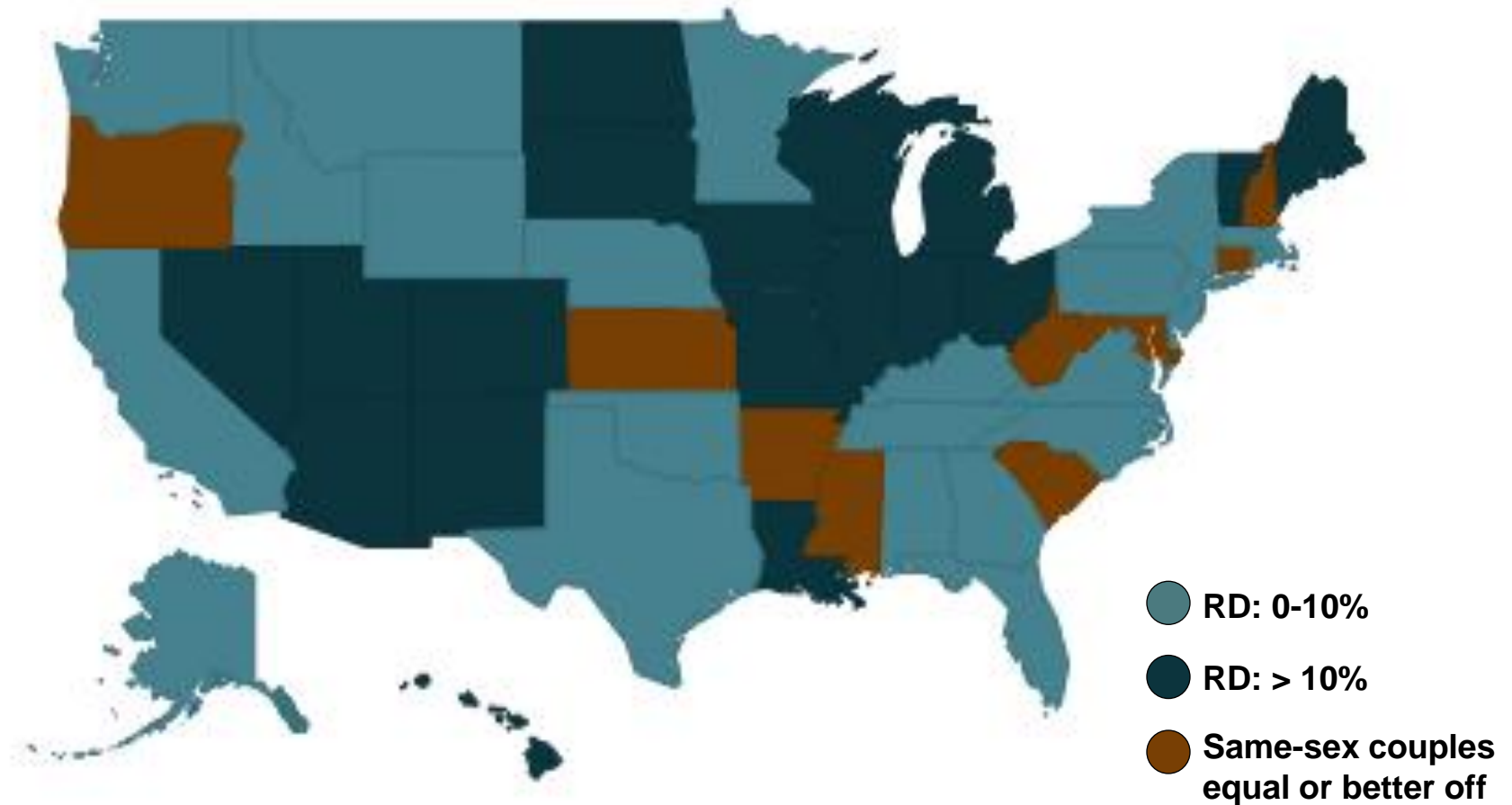
Men in SS relationships vs. Married Men in OS Relationships



Adjusts for race/ethnicity, age, employment, industry, income, region, citizenship, minor child, survey year
Source: American Community Survey, 2008-2010. RD=relative difference.

Coverage Gaps in ESI

Women in SS relationships vs. Married Women in OS relationships



Adjusts for race/ethnicity, age, employment, industry, income, region, citizenship, minor child, survey year
Source: American Community Survey, 2008-2010. RD=relative difference.

Does state marriage policy
modify coverage gaps?

MEN in Same-Sex Relationships

Compared to living in states without provisions

- Same-Sex Marriage: **+1.45%** ($p > 0.10$)
- Civil unions or domestic partnerships: **+1.66%** ($p > 0.10$)

Adjusts for race/ethnicity, age, employment, industry, income, region, citizenship, minor child, survey year
Source: American Community Survey, 2008-2010

WOMEN in Same-Sex Relationships

Compared to living in states without provisions

- Same-Sex Marriage: **+3.84%** ($p < 0.01$)
- Civil unions or domestic partnerships: **+3.00%** ($p < 0.01$)

Adjusts for race/ethnicity, age, employment, industry, income, region, citizenship, minor child, survey year
Source: American Community Survey, 2008-2010

Summary

- Men and women in same-sex couples are less likely to be insured through an employer nationwide
- Largest ESI coverage gaps located in the South for men and in the Midwest for women
- Living in a state with same-sex marriage, civil unions or domestic partnerships is associated with increased levels of ESI for women in same-sex relationships

Policy Implications

- Potential for states to require fully insured employers to extend benefits to same-sex spouses
- Employers can voluntarily expand coverage to same-sex spouses as a strategy to attract employees
- Repealing DOMA could remove barriers to coverage for same-sex couples

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