Coverage Summary

Abortion

Coverage Statement: Abortion is covered when Medicare coverage criteria are met.

Guidelines/Notes:

1. Abortion is covered only under the following circumstances:
   a. If the pregnancy is the result of an act of rape or incest; or
   b. In the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, which would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

2. Health care associated if the pregnancy terminates, whether spontaneously or for therapeutic reasons (i.e., where the life of the mother would be endangered if the fetus were brought to
term) is also covered.

See the Medicare Benefit Policy Manual, Chapter 15, §20.1 - Physician Expense, Surgery, Childbirth, and Treatment for Infertility

Also see the Medicare Benefit Policy Manual, Chapter 1, §80 - Health Care Associated with Pregnancy and §90 – Termination of Pregnancy

(Accessed September 27, 2018)

II. DEFINITIONS

III. REFERENCES

IV. REVISION HISTORY

04/01/2019 Updated policy introduction; added language to clarify:
- There are instances where [the Coverage Summary] may direct readers to a UnitedHealthcare Commercial Medical Policy, Medical Benefit Drug Policy, and/or Coverage Determination Guideline (CDG)
- In the absence of a Medicare National Coverage Determination (NCD), Local Coverage Determination (LCD), or other Medicare coverage guidance, CMS allows a Medicare Advantage Organization (MAO) to create its own coverage determinations, using objective evidence-based rationale relying on authoritative evidence (Medicare IOM Pub. No. 100-16, Ch. 4, §90.5)

10/16/2018 Annual review; no updates.

10/17/2017 Annual review with the following recommended updates:
- Guideline 2 – Removed the following language: “Medical services for the care and treatment of spontaneous abortions (miscarriage) are covered.” Replace with “Health care associated if the pregnancy terminates, whether spontaneously or for therapeutic reasons (i.e., where the life of the mother would be endangered if the fetus were brought to term) is also covered”
- Guideline 3 (Abortions for reasons other than listed above are not covered. Examples include, but are not limited to) – Deleted; unable to find a CMS reference
- References Section – Each reference moved from this section to appropriate guideline

10/18/2016 Annual review; no updates.

11/17/2015 Annual review; no updates.

11/18/2014 Annual review with following updates:
Guideline #3 ( Abortions induced by mifepristone)
- Added language to state:
  Mifepristone (Mifeprex™, RU-486) is a medication approved by the FDA on September 28, 2000 for the medical termination of an intrauterine pregnancy.
Definitions
- Removed the definition of:
  - Elective Abortion (not used within this coverage summary)
  - Mifepristone (moved to guideline section)
  - Selective Reduction (no CMS reference available)
- Therapeutic Abortion (not used within this coverage summary)

12/17/2013    Annual review with no updates
12/17/2012    Annual review with no updates
12/19/2011    Annual review with no updates
11/16/2010    Annual review with no updates