

EXHIBIT E

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

PLANNED PARENTHOOD OF MARYLAND,
INC., *et al.*,

Plaintiffs,

v.

ALEX M. AZAR II, Secretary of the United States
Department of Health and Human Services, in his
official capacity, *et al.*,

Defendants.

Civil Action No. CCB-20-00361

**DECLARATION OF TANJA HOLLANDER IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, Tanja Hollander, declare and state as follows:

1. I currently reside in Auburn, Maine, where I am self-employed as an artist.
2. I have purchased, and currently maintain, an individual health insurance plan through Maine's federally facilitated exchange.
3. As required by state law, my health insurance plan includes coverage for abortions for which federal funding cannot be used. I desire to maintain an insurance plan that covers federally excluded abortion services. I am a female of reproductive age and able to become pregnant, and it is possible that I would use these abortion services if I became pregnant.
4. I understand that the Patient Protection and Affordable Care Act ("ACA") requires insurers who cover federally excluded abortion services to separate the portion of the premium payment attributable to those abortion services that they receive from consumers

from the portion of the payment attributable to all other services covered by the insurance plan. My current insurer satisfies this requirement by providing consumers like me with one bill for the entire monthly premium and allowing me to pay my entire monthly premium with a single transaction.

5. I understand that the Centers for Medicare and Medicaid Services (“CMS”) and the Department of Health and Human Services (“HHS”) have finalized a new rule (the “Rule”) that would require insurers that offer plans on ACA health exchanges covering federally excluded abortion services to send consumers who have purchased such plans two entirely separate bills that would together cover the full monthly premium—one for the amount of the premium attributable to covered abortion services and another for the amount of the premium for all other covered services—and to instruct consumers like me to pay each monthly premium via two entirely separate transactions.

6. As someone who maintains an active health insurance plan purchased on Maine’s federally facilitated exchange, I am worried about the impact that the Rule will have on my ability to afford my monthly premiums and keep the coverage I have under my plan now.

7. It is my understanding that compliance with the Rule will increase costs for insurers that offer marketplace plans covering federally excluded abortion services, particularly among insurers that, under state law, do not have the option of dropping abortion care as a covered service in response to the Rule.

8. I fear that if the Rule takes effect, my insurer and others will be forced to raise monthly premiums in order to help cover the costs associated with compliance with the Rule.

9. I already struggle to pay the portion of my monthly premium that I must pay out-of-pocket. I would have to find a way to pay any increased cost in my premium attributable to

the Rule by myself, which would be a major burden for me.

10. I may try to borrow money or cut back on or forgo other monthly necessities in order to cover any increase in my premium, but it is possible that I may be forced to switch to a different, cheaper plan that provides less coverage. I do not want to be forced to do this. I chose the plan that I am currently on precisely because it covers a lot of preventive care services that I rely on to maintain my health. Having previously been on a catastrophic plan that does not provide these services, I am concerned that switching to a plan that provides less coverage, has a higher deductible, or both, will have a negative effect on my health and well-being.

11. I am also concerned about the Rule's impact on my ability to retain my current coverage and avoid unnecessary fees and time-consuming tasks. I currently pay my premium each month through an automatic payment online. I have selected and prefer automatic payment, as opposed to any other method, to avoid the cost of ordering checks, minimize time spent paying bills, and ensure as much as possible that my payment is received in a timely and reliable fashion. The latter is particularly important to me given how much time I must spend traveling for work; if I don't have monthly payments set up on auto-pay, I worry that I will forget to pay bills when I am on the road and, as a result, will face late fees, insurance coverage lapses, or both.

12. While I understand that the Rule states that insurers may not refuse a consumer's premium payment if the consumer refuses to pay her premium in separate installments, and instead pays the entire premium in a single transaction, that part of the Rule will not reduce the Rule's burdens on me. If the Rule takes effect, I will follow my insurer's payment instructions and will set up an additional, separate automatic payment for the portion of my premium attributable to abortion services.

13. This is because I want to avoid doing anything that would result in my insurer losing track of my payments or having to contact me (with a lengthy phone call, or additional emails or paper documents) to remind me to pay via two separate transactions. These communications would add unnecessary stress to my life and take up more of my limited time. Dealing with payment-related issues would be particularly stressful and difficult when I am traveling for work, as I am often in different time zones and occasionally in countries where it is expensive and hard, if not nearly impossible, to call a landline in the United States.

14. I am also concerned that having two separate automatic payments (as opposed to one) doubles the risk of my inadvertently failing to pay my monthly premium in full in the event an error or glitch causes one of the payments to fail or to be debited late. If this happens, I am worried that I could lose my coverage entirely. As noted above, the possibility of payment issues or coverage loss is especially concerning for me given the extent to which I travel for work. Having no access to my physical mail and having to remember to check accounts and transfer funds when I am on the road increases the risk that I fail to make a payment in full, miss a time-sensitive call or a notice, or both.

15. Moreover, I understand that, if the Rule takes effect, some insurers may stop offering credit card as a payment option for monthly premiums in order to avoid effectively doubling the fees they incur for each credit card transaction. My automatic payments for my monthly premium currently come off of my credit card. I prefer to use my credit card to pay my monthly premium because, given the nature of my job and the extent to which I travel for work, there is a risk that the premium payment will be debited from my bank account before I have had a chance to transfer or deposit the necessary funds into my account. Not having the option to use my credit card for premium payments would increase my stress about not having

enough money in my account to cover these payments, and the associated risk that I will be forced to pay an overdraft fee, which would double if, as a result of the Rule, my monthly premium payment is split across two separate auto-payments.

16. Finally, as someone who has previously struggled to obtain an abortion without insurance, I am seriously concerned about the harms that I and others will endure if, as a result of the Rule, we lose access to insurance coverage for abortion and find that we need abortion care.

17. I found out I was pregnant in 2016, when I was working 14-hour days and financially maxed out.

18. Given the gestational point in my pregnancy and the difficulty of obtaining timely care in Maine at that time, I was forced to travel to New Hampshire to obtain my abortion. My insurance would not cover my abortion procedure because the New Hampshire clinic was out-of-network. As a result, I was forced to pay for the entire procedure out-of-pocket by using up nearly all of the remaining balance I had on my credit card.

19. Fortunately, at that time in my life, I was lucky enough to have the resources to pay for the abortion. But I know that not everyone is so lucky, and that I may not be so lucky in the future.

20. Based on my personal experience, I also know that there are already a number of very real logistical and financial barriers to accessing abortion, including state laws that restrict when, where, and from whom a person can obtain an abortion, and difficulties arranging (and raising the necessary funds for) transportation to and from the procedure or obtaining time off of work. If, as a result of the Rule, some people are also forced to struggle to figure out how to pay for an abortion because their health insurance will no longer cover the cost, I fear that

abortion may be pushed out of their reach entirely.

21. For all these reasons, I ask the Court to prevent the serious harm the Rule would inflict on me and all others like me by stopping enforcement of the Rule.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on February 19, 2020, in Friday Harbor, Washington

Tanja a. Hollander
Tanja Hollander