

It's status quo for benefits for most N.C. same-sex couples, insurers say

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The U.S. Supreme Court ruling that extends same-sex marriage to all 50 states will have little effect on the benefits of most same-sex couples in North Carolina, insurance agents said Friday

“The state’s insurers recognized the federal court’s decision last year and have permitted same-sex spouses to be enrolled as spouses on group and individual plans,” said David Smith, vice president of EbenConcepts and a member of the N.C. Association of Health Underwriters.

Where there could be a problem, Smith said, is with large employers operating self-funded health plans.

A self-funded health plan is one in which an employer pays the claims costs incurred by the covered employees.

“The total cost of a self-funded plan is the fixed costs, plus the claims expense, less any stop-loss reimbursements,” according to PhysiciansCare.com.

Smith said that there is still some uncertainty for those types of plans.

“The regulatory agencies and the courts haven’t agreed on whether an employer can choose not to offer coverage to a same-sex spouse if the employer is permitting an opposite-sex spouse to enroll.

“That’ll probably be a decision for another day.”

The Supreme Court decision may “provide cover for a number of social conservative governors who have opposed same-sex marriage by taking the issue off the table,” said John H. Boyd, a principal at The Boyd Co., a corporate site-selection firm based in Princeton, N.J.

“Any type of activity in a state legislature or by a social conservative governor against marriage equality would lack business acumen and invite the type of media firestorm we saw unfold in Indiana this year,” Boyd said.

A law passed earlier this year in Indiana gave religious rights to for-profit companies and allowed them legal cover to claim religious objection should they face discrimination lawsuits for refusing to serve gay and lesbian customers.

The Indiana legislature responded to the national spotlight over the issue by announcing in April that sexual orientation and gender identity would be explicitly protected in the law.

“Social policies, like marriage equality, have emerged as critical site-selection variables,” Boyd said.

Boyd said attention is being paid to the North Carolina law, which went into effect June 11 and

exempts magistrates from performing same-sex marriages based on deeply held religious convictions

“Companies, especially in the financial services and information-technology sectors, want to locate in markets where they can hire and recruit the best talent from around the globe,” Boyd said. “The law is out of step with the business community. IBM, RedHat and American Airlines have vocally opposed the bill and argued that it will make their recruiting more difficult.”

Boyd said social conservatives in the General Assembly supporting Senate Bill 2 — the so-called religious freedom bill that allows magistrates and register of deeds employees to choose not to perform some marriage duties for same-sex couples if they have deeply held religious beliefs — “are doing the state’s economic-development foot soldiers no favors.”

“Earlier this month, the chief executives of GE, Aetna and Travelers objected to Connecticut’s fifth income-tax hike since 2011,” Boyd said. “GE’s Jeffrey Immelt was especially vocal in his outrage over the tax hikes that he stated publically that GE will consider leaving the state.

“North Carolina should be on the radar screen and a strong candidate for new corporate headquarters projects. The religious freedom bill is an unnecessary obstacle.

“Gov. McCrory has demonstrated his business acumen for his rejection of the religious freedom bill and, most recently, his call to remove the Confederate flag from specialty license plates,” Boyd said.

Josh Dunn, a spokesman with Wells Fargo & Co., said the bank “has long been committed to an operating culture that embraces diversity and inclusion.”

The bank’s commercial featuring a lesbian couple adopting a child drew the ire of Franklin Graham, who transferred the accounts of the Billy Graham Evangelistic Association, which he leads, to BB&T Corp., which also sponsors gay-rights events.

“The U.S. Supreme Court’s decision provides important consistency and clarity in same-sex marriage laws across our country,” Dunn said.

BB&T spokesman Brian Davis said the bank, “as a company and a culture, embraces diversity and inclusion for our associates and in all aspects of our business.”

“However, we do not take formal positions on nonbanking or social issues.”

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