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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: C
04/27/2011 02:40 PM	.	05/04/2011 05:27 PM
	.	

Senator Wise moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 627.64995, Florida Statutes, is created
to read:

627.64995 Restrictions on use of state and federal funds
for state exchanges.-

(1) A health insurance policy under which coverage is
purchased in whole or in part with any state or federal funds
through an exchange created pursuant to the federal Patient
Protection and Affordable Care Act, Pub. L. No. 111-148, may not
provide coverage for an abortion as defined in s. 390.011(1),



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14 except if the pregnancy is the result of an act of rape or
15 incest, or in the case where a woman suffers from a physical
16 disorder, physical injury, or physical illness, including a
17 life-endangering physical condition caused by or arising from
18 the pregnancy itself, which would, as certified by a physician,
19 place the woman in danger of death unless an abortion is
20 performed. Coverage is deemed to be purchased with state or
21 federal funds if any tax credit or cost-sharing credit is
22 applied toward the health insurance policy.

23 (2) This section does not prohibit a health insurance
24 policy from offering separate coverage for an abortion if such
25 coverage is not purchased in whole or in part with state or
26 federal funds.

27 (3) As used in this section, the term "state" means this
28 state or any political subdivision of the state.

29 Section 2. Section 627.66995, Florida Statutes, is created
30 to read:

31 627.66995 Restrictions on use of state and federal funds
32 for state exchanges.-

33 (1) A group, franchise, or blanket health insurance policy
34 under which coverage is purchased in whole or in part with any
35 state or federal funds through an exchange created pursuant to
36 the federal Patient Protection and Affordable Care Act, Pub. L.
37 No. 111-148, may not provide coverage for an abortion as defined
38 in s. 390.011(1), except if the pregnancy is the result of an
39 act of rape or incest, or in the case where a woman suffers from
40 a physical disorder, physical injury, or physical illness,
41 including a life-endangering physical condition caused by or
42 arising from the pregnancy itself, which would, as certified by



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43 a physician, place the woman in danger of death unless an
44 abortion is performed. Coverage is deemed to be purchased with
45 state or federal funds if any tax credit or cost-sharing credit
46 is applied toward the group, franchise, or blanket health
47 insurance policy.

48 (2) This section does not prohibit a group, franchise, or
49 blanket health insurance policy from offering separate coverage
50 for an abortion if such coverage is not purchased in whole or in
51 part with state or federal funds.

52 (3) As used in this section, the term "state" means this
53 state or any political subdivision of the state.

54 Section 3. Section 641.31099, Florida Statutes, is created
55 to read:

56 641.31099 Restrictions on use of state and federal funds
57 for state exchanges.—

58 (1) A health maintenance contract under which coverage is
59 purchased in whole or in part with any state or federal funds
60 through an exchange created pursuant to the federal Patient
61 Protection and Affordable Care Act, Pub. L. No. 111-148, may not
62 provide coverage for an abortion as defined in s. 390.011(1),
63 except if the pregnancy is the result of an act of rape or
64 incest, or in the case where a woman suffers from a physical
65 disorder, physical injury, or physical illness, including a
66 life-endangering physical condition caused by or arising from
67 the pregnancy itself, which would, as certified by a physician,
68 place the woman in danger of death unless an abortion is
69 performed. Coverage is deemed to be purchased with state or
70 federal funds if any tax credit or cost-sharing credit is
71 applied toward the health maintenance contract.



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72 (2) This section does not prohibit a health maintenance
73 contract from offering separate coverage for an abortion if such
74 coverage is not purchased in whole or in part with state or
75 federal funds.

76 (3) As used in this section, the term "state" means this
77 state or any political subdivision of the state.

78 Section 4. Paragraph (c) of subsection (2) of section
79 627.6515, Florida Statutes, is amended to read:

80 627.6515 Out-of-state groups.—

81 (2) Except as otherwise provided in this part, this part
82 does not apply to a group health insurance policy issued or
83 delivered outside this state under which a resident of this
84 state is provided coverage if:

85 (c) The policy provides the benefits specified in ss.
86 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,
87 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911,
88 and complies with the requirements of s. 627.66995.

89 Section 5. Present subsection (17) of section 627.6699,
90 Florida Statutes, is renumbered as subsection (18), and a new
91 subsection (17) is added to that section, to read:

92 627.6699 Employee Health Care Access Act.—

93 (17) RESTRICTIONS ON COVERAGE.—

94 (a) A plan under which coverage is purchased in whole or in
95 part with any state or federal funds through an exchange created
96 pursuant to the federal Patient Protection and Affordable Care
97 Act, Pub. L. No. 111-148, may not provide coverage for an
98 abortion, as defined in s. 390.011(1), except if the pregnancy
99 is the result of an act of rape or incest, or in the case where
100 a woman suffers from a physical disorder, physical injury, or



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101 physical illness, including a life-endangering physical
102 condition caused by or arising from the pregnancy itself, which
103 would, as certified by a physician, place the woman in danger of
104 death unless an abortion is performed. Coverage is deemed to be
105 purchased with state or federal funds if any tax credit or cost-
106 sharing credit is applied toward the plan.

107 (b) This subsection does not prohibit a plan from providing
108 any person or entity with separate coverage for an abortion if
109 such coverage is not purchased in whole or in part with state or
110 federal funds.

111 (c) As used in this section, the term "state" means this
112 state or any political subdivision of the state.

113 Section 6. This act shall take effect July 1, 2011.

114
115 ===== T I T L E A M E N D M E N T =====

116 And the title is amended as follows:

117 Delete everything before the enacting clause
118 and insert:

119 A bill to be entitled
120 An act relating to health insurance; creating ss.
121 627.64995, 627.66995, and 641.31099, F.S.; prohibiting
122 certain health insurance policies and health
123 maintenance contracts from providing coverage for
124 abortions; providing exceptions; defining the term
125 "state"; amending s. 627.6515, F.S.; providing that
126 certain restrictions on coverage for abortions apply
127 to certain group health insurance policies issued or
128 delivered outside the state which provide coverage to
129 residents of the state; amending s. 627.6699, F.S.;



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130 providing that certain restrictions on coverage for
131 abortions apply to plans under the Employee Health
132 Care Access Act; providing an effective date.