

1 A bill to be entitled
 2 An act relating to health insurance; creating ss.
 3 627.64995, 627.66996, and 641.31099, F.S.; prohibiting
 4 certain health insurance policies and health maintenance
 5 contracts from providing coverage for abortions; providing
 6 exceptions; defining the term "state"; amending s.
 7 627.6515, F.S.; providing that certain restrictions on
 8 coverage for abortions apply to certain group health
 9 insurance policies issued or delivered outside the state
 10 which provide coverage to residents of the state;
 11 providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

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

17 627.64995 Restrictions on use of state and federal funds
 18 for state exchanges.—

19 (1) A health insurance policy or group health insurance
 20 policy under which coverage is purchased in whole or in part
 21 with any state or federal funds through an exchange created
 22 pursuant to the federal Patient Protection and Affordable Care
 23 Act, Pub. L. No. 111-148, may not provide coverage for an
 24 abortion as defined in s. 390.011(1), except if the physician
 25 certifies in writing that an abortion is necessary to save the
 26 life of the mother or if the pregnancy is the result of an act
 27 of rape or incest. Coverage is deemed to be purchased with state
 28 or federal funds if any tax credit or cost-sharing credit is

29 applied toward the health insurance policy or group health
 30 insurance policy.

31 (2) This section does not prevent a health insurance
 32 policy or group health insurance policy from providing any
 33 person or entity with separate coverage for an abortion, if such
 34 coverage is not purchased in whole or in part with any state or
 35 federal funds.

36 (3) As used in this section, the term "state" means this
 37 state and includes any political subdivision of the state.

38 Section 2. Section 627.66996, Florida Statutes, is created
 39 to read:

40 627.66996 Restrictions on use of state and federal funds
 41 for state exchanges.—

42 (1) A group, franchise, or blanket health insurance policy
 43 under which coverage is purchased in whole or in part with any
 44 state or federal funds through an exchange created pursuant to
 45 the federal Patient Protection and Affordable Care Act, Pub. L.
 46 No. 111-148, may not provide coverage for an abortion as defined
 47 in s. 390.011(1), except if the physician certifies in writing
 48 that an abortion is necessary to save the life of the mother or
 49 if the pregnancy is the result of an act of rape or incest.
 50 Coverage is deemed to be purchased with state or federal funds
 51 if any tax credit or cost-sharing credit is applied toward the
 52 group, franchise, or blanket health insurance policy.

53 (2) This section does not prevent a group, franchise, or
 54 blanket health insurance policy from providing any person or
 55 entity with separate coverage for an abortion, if such coverage
 56 is not purchased in whole or in part with any state or federal

57 funds.

58 (3) As used in this section, the term "state" means this
 59 state and includes any political subdivision of the state.

60 Section 3. Section 641.31099, Florida Statutes, is created
 61 to read:

62 641.31099 Restrictions on use of state and federal funds
 63 for state exchanges.—

64 (1) A health maintenance contract under which coverage is
 65 purchased in whole or in part with any state or federal funds
 66 through an exchange created pursuant to the federal Patient
 67 Protection and Affordable Care Act, Pub. L. No. 111-148, may not
 68 provide coverage for an abortion as defined in s. 390.011(1),
 69 except if the physician certifies in writing that an abortion is
 70 necessary to save the life of the mother or if the pregnancy is
 71 the result of an act of rape or incest. Coverage is deemed to be
 72 purchased with state or federal funds if any tax credit or cost-
 73 sharing credit is applied toward the health maintenance
 74 contract.

75 (2) This section does not prevent a health maintenance
 76 contract from providing any person or entity with separate
 77 coverage for an abortion, if such coverage is not purchased in
 78 whole or in part with any state or federal funds.

79 (3) As used in this section, the term "state" means this
 80 state and includes any political subdivision of the state.

81 Section 4. Paragraph (c) of subsection (2) of section
 82 627.6515, Florida Statutes, is amended to read:

83 627.6515 Out-of-state groups.—

84 (2) Except as otherwise provided in this part, this part

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85 | does not apply to a group health insurance policy issued or
86 | delivered outside this state under which a resident of this
87 | state is provided coverage if:

88 | (c) The policy provides the benefits specified in ss.
89 | 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,
90 | 627.66122, 627.6613, 627.667, 627.6675, 627.6691, ~~and~~ 627.66911,
91 | and 627.66996.

92 | Section 5. This act shall take effect July 1, 2011.