CS/HB 97, Engrossed 1

1	A bill to be entitled
2	An act relating to health insurance; creating ss.
3	627.64995, 627.66995, 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; amending
11	s. 627.6699, F.S.; providing that certain restrictions on
12	coverage for abortions apply to plans under the Employee
13	Health Care Access Act; providing an effective date.
14	
15	Be It Enacted by the Legislature of the State of Florida:
16	
17	Section 1. Section 627.64995, Florida Statutes, is created
18	to read:
19	627.64995 Restrictions on use of state and federal funds
20	for state exchanges
21	(1) A health insurance policy under which coverage is
22	purchased in whole or in part with any state or federal funds
23	through an exchange created pursuant to the federal Patient
24	Protection and Affordable Care Act, Pub. L. No. 111-148, may not
25	provide coverage for an abortion as defined in s. 390.011(1),
26	except if the pregnancy is the result of an act of rape or
27	incest, or in the case where a woman suffers from a physical
28	disorder, physical injury, or physical illness, including a

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## CS/HB 97, Engrossed 1

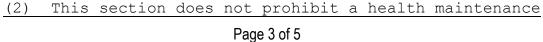
29	life-endangering physical condition caused by or arising from
30	the pregnancy itself, which would, as certified by a physician,
31	place the woman in danger of death unless an abortion is
32	performed. Coverage is deemed to be purchased with state or
33	federal funds if any tax credit or cost-sharing credit is
34	applied toward the health insurance policy.
35	(2) This section does not prohibit a health insurance
36	policy from offering separate coverage for an abortion if such
37	coverage is not purchased in whole or in part with state or
38	federal funds.
39	(3) As used in this section, the term "state" means this
40	state or any political subdivision of the state.
41	Section 2. Section 627.66995, Florida Statutes, is created
42	to read:
43	627.66995 Restrictions on use of state and federal funds
44	for state exchanges
45	(1) A group, franchise, or blanket health insurance policy
46	under which coverage is purchased in whole or in part with any
47	state or federal funds through an exchange created pursuant to
48	the federal Patient Protection and Affordable Care Act, Pub. L.
49	No. 111-148, may not provide coverage for an abortion as defined
50	in s. 390.011(1), except if the pregnancy is the result of an
51	act of rape or incest, or in the case where a woman suffers from
52	a physical disorder, physical injury, or physical illness,
53	including a life-endangering physical condition caused by or
54	arising from the pregnancy itself, which would, as certified by
55	a physician, place the woman in danger of death unless an
56	abortion is performed. Coverage is deemed to be purchased with
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## Page 2 of 5

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	CS/HB 97, Engrossed 1 201
57	state or federal funds if any tax credit or cost-sharing credit
58	is applied toward the group, franchise, or blanket health
59	insurance policy.
60	(2) This section does not prohibit a group, franchise, or
61	blanket health insurance policy from offering separate coverage
62	for an abortion if such coverage is not purchased in whole or in
63	part with state or federal funds.
64	(3) As used in this section, the term "state" means this
65	state or any political subdivision of the state.
66	Section 3. Section 641.31099, Florida Statutes, is created
67	to read:
68	641.31099 Restrictions on use of state and federal funds
69	for state exchanges
70	(1) A health maintenance contract under which coverage is
71	purchased in whole or in part with any state or federal funds
72	through an exchange created pursuant to the federal Patient
73	Protection and Affordable Care Act, Pub. L. No. 111-148, may not
74	provide coverage for an abortion as defined in s. 390.011(1),
75	except if the pregnancy is the result of an act of rape or
76	incest, or in the case where a woman suffers from a physical
77	disorder, physical injury, or physical illness, including a
78	life-endangering physical condition caused by or arising from
79	the pregnancy itself, which would, as certified by a physician,
80	place the woman in danger of death unless an abortion is
81	performed. Coverage is deemed to be purchased with state or

- 82 federal funds if any tax credit or cost-sharing credit is
- 83 applied toward the health maintenance contract.
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85	contract from offering separate coverage for an abortion if such
86	coverage is not purchased in whole or in part with state or
87	federal funds.
88	(3) As used in this section, the term "state" means this
89	state or any political subdivision of the state.
90	Section 4. Paragraph (c) of subsection (2) of section
91	627.6515, Florida Statutes, is amended to read:
92	627.6515 Out-of-state groups
93	(2) Except as otherwise provided in this part, this part
94	does not apply to a group health insurance policy issued or
95	delivered outside this state under which a resident of this
96	state is provided coverage if:
97	(c) The policy provides the benefits specified in ss.
98	627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,
99	627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911 <u>,</u>
100	and complies with the requirements of s. 627.66995.
101	Section 5. Present subsection (17) of section 627.6699,
102	Florida Statutes, is renumbered as subsection (18), and a new
103	subsection (17) is added to that section, to read:
104	627.6699 Employee Health Care Access Act
105	(17) RESTRICTIONS ON COVERAGE
106	(a) A plan under which coverage is purchased in whole or
107	in part with any state or federal funds through an exchange
108	created pursuant to the federal Patient Protection and
109	Affordable Care Act, Pub. L. No. 111-148, may not provide
110	coverage for an abortion, as defined in s. 390.011(1), except if
111	the pregnancy is the result of an act of rape or incest, or in
112	the case where a woman suffers from a physical disorder,



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## CS/HB 97, Engrossed 1

113 physical injury, or physical illness, including a life-114 endangering physical condition caused by or arising from the 115 pregnancy itself, which would, as certified by a physician, 116 place the woman in danger of death unless an abortion is 117 performed. Coverage is deemed to be purchased with state or 118 federal funds if any tax credit or cost-sharing credit is 119 applied toward the plan. 120 (b) This subsection does not prohibit a plan from 121 providing any person or entity with separate coverage for an 122 abortion if such coverage is not purchased in whole or in part 123 with state or federal funds. 124 (c) As used in this section, the term "state" means this 125 state or any political subdivision of the state. 126 Section 6. This act shall take effect July 1, 2011.

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