

By the Committee on Banking and Insurance; and Senator Wise

597-02874-11

20111414c1

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  
5 maintenance contracts from providing coverage for  
6 abortions; providing exceptions; defining the term  
7 "state"; amending s. 627.6515, F.S.; providing that  
8 certain restrictions on coverage for abortions apply  
9 to certain group health insurance policies issued or  
10 delivered outside the state which provide coverage to  
11 residents of the state; amending s. 627.6699, F.S.;  
12 providing that certain restrictions on coverage for  
13 abortions apply to plans under the Employee Health  
14 Care Access Act; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Section 627.64995, Florida Statutes, is created  
19 to read:

20 627.64995 Restrictions on use of state and federal funds  
21 for state exchanges.—

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

597-02874-11

20111414c1

30 purchased with state or federal funds if any tax credit or cost-  
31 sharing credit is applied toward the health insurance policy.

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

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

38 Section 2. Section 627.66995, Florida Statutes, is created  
39 to read:

40 627.66995 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 prohibit a group, franchise, or  
54 blanket health insurance policy from offering separate coverage  
55 for an abortion if such coverage is not purchased in whole or in  
56 part with state or federal funds.

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

597-02874-11

20111414c1

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

61 641.31099 Restrictions on use of state and federal funds  
62 for state exchanges.-

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

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

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

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

82 627.6515 Out-of-state groups.-

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

87 (c) The policy provides the benefits specified in ss.

597-02874-11

20111414c1

88 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,  
89 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911,  
90 and complies with the requirements of 627.66995.

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

94 627.6699 Employee Health Care Access Act.—

95 (17) RESTRICTIONS ON COVERAGE.—

96 (a) A plan under which coverage is purchased in whole or in  
97 part with any state or federal funds through an exchange created  
98 pursuant to the federal Patient Protection and Affordable Care  
99 Act, Pub. L. No. 111-148, may not provide coverage for an  
100 abortion, as defined in s. 390.011(1), unless the physician  
101 certifies in writing that an abortion is necessary to save the  
102 life of the mother or if the pregnancy is the result of an act  
103 of rape or incest. Coverage is deemed to be purchased with state  
104 or federal funds if any tax credit or cost-sharing credit is  
105 applied toward the plan.

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

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

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