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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2011	.	
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The Committee on Budget (Margolis and Wise) recommended the following:

Senate Amendment

Delete lines 22 - 105
and insert:

(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), except if the pregnancy is the result of an act of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life



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13 endangering physical condition caused by or arising from the
14 pregnancy itself, that would, as certified by a physician, place
15 the woman in danger of death unless an abortion is performed.
16 Coverage is deemed to be purchased with state or federal funds
17 if any tax credit or cost-sharing credit is applied toward the
18 health insurance policy.

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

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

25 Section 2. Section 627.66995, Florida Statutes, is created
26 to read:

27 627.66995 Restrictions on use of state and federal funds
28 for state exchanges.—

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



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42 applied toward the group, franchise, or blanket health insurance
43 policy.

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

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

50 Section 3. Section 641.31099, Florida Statutes, is created
51 to read:

52 641.31099 Restrictions on use of state and federal funds
53 for state exchanges.—

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

68 (2) This section does not prohibit a health maintenance
69 contract from offering separate coverage for an abortion if such
70 coverage is not purchased in whole or in part with state or



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71 federal funds.

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

74 Section 4. Paragraph (c) of subsection (2) of section
75 627.6515, Florida Statutes, is amended to read:

76 627.6515 Out-of-state groups.—

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

81 (c) The policy provides the benefits specified in ss.
82 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,
83 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911,
84 and complies with the requirements of 627.66995.

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

88 627.6699 Employee Health Care Access Act.—

89 (17) RESTRICTIONS ON COVERAGE.—

90 (a) A plan under which coverage is purchased in whole or in part
91 with any state or federal funds through an exchange created
92 pursuant to the federal Patient Protection and Affordable Care
93 Act, Pub. L. No. 111-148, may not provide coverage for an
94 abortion, as defined in s. 390.011(1), except if the pregnancy
95 is the result of an act of rape or incest, or in the case where
96 a woman suffers from a physical disorder, physical injury, or
97 physical illness, including a life endangering physical
98 condition caused by or arising from the pregnancy itself, that
99 would, as certified by a physician, place the woman in danger of



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100 death unless an abortion is performed. Coverage is deemed to be
101 purchased with state or federal funds if any tax credit or cost-
102 sharing credit is applied toward the plan.