

HB 97

2011

1 A bill to be entitled
 2 An act relating to health insurance; creating s.
 3 627.64995, F.S.; prohibiting the use of state or federal
 4 funds to provide coverage for abortions in an exchange
 5 created pursuant to federal law; specifying conditions
 6 under which a health insurance policy or group health
 7 insurance policy is deemed to be purchased with state or
 8 federal funds; providing exceptions; providing a
 9 definition; creating s. 641.31099, F.S.; prohibiting the
 10 use of state or federal funds to provide coverage for
 11 abortions in an exchange created pursuant to federal law;
 12 specifying conditions under which a health maintenance
 13 contract is deemed to provide coverage purchased with
 14 state or federal funds; providing exceptions; providing a
 15 definition; providing an effective date.

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

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

21 627.64995 Restrictions on use of funds for state
 22 exchanges.—

23 (1) A health insurance policy or group health insurance
 24 policy purchased in whole or in part with state or federal funds
 25 through an exchange created pursuant to the federal Patient
 26 Protection and Affordable Care Act may not provide coverage for
 27 an abortion as defined in s. 390.011(1). A policy shall be
 28 deemed to be purchased with state or federal funds if it is a

29 policy toward which any tax credit or cost-sharing credit is
 30 applied.

31 (2) This section does not prohibit coverage for an
 32 abortion that is performed to save the life or physical health
 33 of the mother or when the pregnancy resulted from an act of rape
 34 or incest.

35 (3) This section may not be construed to prevent a health
 36 insurance plan or group health insurance plan from providing any
 37 private person or entity with separate coverage for abortions,
 38 provided such coverage is not purchased, in whole or in part,
 39 with state or federal funds.

40 (4) For purposes of this section, the term "state" means
 41 the State of Florida or any of its political subdivisions.

42 Section 2. Section 641.31099, Florida Statutes, is created
 43 to read:

44 641.31099 Restrictions on use of funds for state
 45 exchanges.—

46 (1) A health maintenance contract under which coverage is
 47 purchased in whole or in part with state or federal funds
 48 through an exchange created pursuant to the federal Patient
 49 Protection and Affordable Care Act may not provide coverage for
 50 an abortion as defined in s. 390.011(1). Coverage under a health
 51 maintenance contract shall be deemed to be purchased with state
 52 or federal funds if the coverage is provided under a contract
 53 toward which any tax credit or cost-sharing credit is applied.

54 (2) This section does not prohibit coverage for an
 55 abortion that is performed to save the life or physical health
 56 of the mother or when the pregnancy resulted from an act of rape

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57 | or incest.

58 | (3) This section may not be construed to prevent a health
59 | maintenance contract from providing any private person or entity
60 | with separate coverage for abortions, provided such coverage is
61 | not purchased, in whole or in part, with state or federal funds.

62 | (4) For purposes of this section, the term "state" means
63 | the State of Florida or any of its political subdivisions.

64 | Section 3. This act shall take effect July 1, 2011.