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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

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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.