

CS/HB 97

2011

1 A bill to be entitled
2 An act relating to health insurance; creating ss.
3 627.64995, 627.66996, 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;
11 providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 627.64995, Florida Statutes, is created
16 to read:

17 627.64995 Restrictions on use of state and federal funds
18 for state exchanges.—

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

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29 applied toward the health insurance policy or group health
30 insurance policy.

31 (2) This section does not prevent a health insurance
32 policy or group health insurance policy from providing any
33 person or entity with separate coverage for an abortion, if such
34 coverage is not purchased in whole or in part with any state or
35 federal funds.

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

38 Section 2. Section 627.66996, Florida Statutes, is created
39 to read:

40 627.66996 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 prevent a group, franchise, or
54 blanket health insurance policy from providing any person or
55 entity with separate coverage for an abortion, if such coverage
56 is not purchased in whole or in part with any state or federal

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57 funds.

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

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

62 641.31099 Restrictions on use of state and federal funds
63 for state exchanges.—

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

75 (2) This section does not prevent a health maintenance
76 contract from providing any person or entity with separate
77 coverage for an abortion, if such coverage is not purchased in
78 whole or in part with any state or federal funds.

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

81 Section 4. Paragraph (c) of subsection (2) of section
82 627.6515, Florida Statutes, is amended to read:

83 627.6515 Out-of-state groups.—

84 (2) Except as otherwise provided in this part, this part

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85 | does not apply to a group health insurance policy issued or
86 | delivered outside this state under which a resident of this
87 | state is provided coverage if:

88 | (c) The policy provides the benefits specified in ss.
89 | 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121,
90 | 627.66122, 627.6613, 627.667, 627.6675, 627.6691, ~~and~~ 627.66911,
91 | and 627.66996.

92 | Section 5. This act shall take effect July 1, 2011.