INSURANCE AMENDMENTS RELATING TO ABORTION

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl Wimmer

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill amends provisions of the Insurance Code by limiting the type of abortion coverage that may be offered in a health benefit plan, on the state health insurance exchange, or on a federally mandated health insurance exchange.

Highlighted Provisions:

This bill:

- defines the term, "permitted abortion coverage"; and
- limits the type of abortion coverage that may be offered in a health benefit plan, on the state health insurance exchange, or on a federally mandated health insurance exchange.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on January 1, 2012.

Utah Code Sections Affected:

ENACTS:

31A-22-726, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 31A-22-726 is enacted to read:

31A-22-726. Abortion coverage restriction in health benefit plan and on health insurance exchange.
(1) As used in this section, "permitted abortion coverage" means coverage for abortion:
   (a) that is necessary to avert:
      (i) the death of the woman on whom the abortion is performed; or
      (ii) a serious risk of substantial and irreversible impairment of a major bodily function
      of the woman on whom the abortion is performed;
   (b) of a fetus that has a defect that is documented by a physician or physicians to be
      uniformly diagnosable and uniformly lethal; or
   (c) where the woman is pregnant as a result of:
      (i) rape, as described in Section 76-5-402;
      (ii) rape of a child, as described in Section 76-5-402.1; or
      (iii) incest, as described in Subsection 76-5-406(10) or Section 76-7-102.
(2) A person may not offer coverage for an abortion in a health benefit plan, unless the
    coverage is a type of permitted abortion coverage.
(3) A person may not offer a health benefit plan that provides coverage for an abortion
    in a health insurance exchange created under Title 63M, Chapter 1, Part 25, Health System
    Reform Act, unless the coverage is a type of permitted abortion coverage.
(4) A person may not offer a health benefit plan that provides coverage for an abortion
    in a health insurance exchange created under the federal Patient Protection and Affordable Care
    Act, 111 P.L. 148, unless the coverage is a type of permitted abortion coverage.

Section 2. Effective date.
This bill takes effect on January 1, 2012.