

## HB0354S01 compared with HB0354

~~text~~ shows text that was in HB0354 but was deleted in HB0354S01.

inserted text shows text that was not in HB0354 but was inserted into HB0354S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Carl Wimmer proposes the following substitute bill:

### INSURANCE AMENDMENTS RELATING TO ABORTION

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl Wimmer**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill amends provisions of the Insurance Code to prohibit a person from offering a health benefit plan in a health insurance exchange that is created, owned, or sponsored by a government entity if the health benefit plan provides coverage for an abortion other than an abortion necessary to protect the life or health of a woman.

##### Highlighted Provisions:

This bill:

- ▶ prohibits a person from offering a health benefit plan in a health insurance exchange that is created, owned, or sponsored by a government entity, including a health insurance exchange created under Title 63M, Chapter 1, Part 25, Health System Reform Act, or pursuant to the federal Patient Protection and Affordable Care Act, 111 P.L. 148, if the health benefit plan provides coverage for an abortion, unless:

## HB0354S01 compared with HB0354

• the abortion is necessary to avert~~;~~

~~—~~ ~~•~~ ~~};~~ the death of the woman on whom the abortion is performed~~};~~ or~~;~~

~~—~~ ~~•~~ ~~};~~ a serious risk of substantial and irreversible impairment of a major bodily function of the woman on whom the abortion is performed~~;~~

• the abortion is of a fetus with a diagnosable, lethal fetal defect; or

• the woman obtaining the abortion is pregnant as a result of rape or incest.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

**31A-22-726**, Utah Code Annotated 1953

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*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 on health insurance exchange.**

A person may not offer in a health insurance exchange, including a health insurance exchange created under Title 63M, Chapter 1, Part 25, Health System Reform Act, or pursuant to the federal Patient Protection and Affordable Care Act, 111 P.L. 148, a health benefit plan in this state that provides coverage for an abortion, except for an abortion:

(1) that is necessary to avert:

(~~1~~1)a) the death of the woman on whom the abortion is performed; or

(~~2~~2)b) a serious risk of substantial and irreversible impairment of a major bodily function of the woman on whom the abortion is performed~~;~~

### Legislative Review Note

~~—~~ as of 2-10-11 6:15 AM

## HB0354S01 compared with HB0354

### Office of Legislative Research and General Counsel:

(2) of a fetus that has a defect that is documented by a physician or physicians to be uniformly diagnosable and uniformly lethal; or

(3) where:

(a) 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; and

(b) before the abortion is performed, the physician who performs the abortion:

(i) verifies that the incident described in Subsection (3)(a) has been reported to law enforcement; and

(ii) complies with the requirements of Section 62A-4a-403.