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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2331 Session of  
2015

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INTRODUCED BY SANTARSIERO, FRANKEL, SCHLOSSBERG, YOUNGBLOOD,  
M. DALEY, BULLOCK, O'BRIEN, KINSEY, COOK-ARTIS, BRIGGS AND  
BOYLE, SEPTEMBER 9, 2016

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REFERRED TO COMMITTEE ON INSURANCE, SEPTEMBER 9, 2016

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AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated  
2 Statutes, repealing compliance with Federal health care  
3 legislation.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Chapter 33 of Title 40 of the Pennsylvania  
7 Consolidated Statutes is repealed:

8 [CHAPTER 33

9 COMPLIANCE WITH FEDERAL

10 HEALTH CARE LEGISLATION

11 Sec.

12 3301. Definitions.

13 3302. Opt-out for abortion.

14 § 3301. Definitions.

15 The following words and phrases when used in this chapter  
16 shall have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 "Abortion." The term shall have the same meaning given to it

1 in 18 Pa.C.S. § 3203 (relating to definitions).

2 "Complication." The term shall have the same meaning given  
3 to it in 18 Pa.C.S. § 3203 (relating to definitions).

4 "Health insurance exchange." The term shall mean an  
5 insurance system established to comply with section 1311(b) or  
6 1321(c) of the Patient Protection and Affordable Care Act  
7 (Public Law 111-148, 42 U.S.C. § 18031(b) or 18041(c)).

8 § 3302. Opt-out for abortion.

9 (a) Prohibition.--The Commonwealth of Pennsylvania hereby  
10 elects pursuant to the authority granted the states under  
11 section 1303(a) of the Patient Protection and Affordable Care  
12 Act (Public Law 111-148, 42 U.S.C. § 18023(a)) to prohibit  
13 certain abortion coverage in qualified health plans offered  
14 through the health insurance exchange under subsection (b).

15 (b) Included coverage prohibition.--No qualified health plan  
16 offered in this Commonwealth through the health insurance  
17 exchange shall include coverage for the performance of any  
18 abortion unless the reason the abortion is performed is one for  
19 which the expenditure of public funds would be permitted under  
20 18 Pa.C.S. § 3215(c) (relating to publicly owned facilities;  
21 public officials and public funds).

22 (c) Excluded coverage prohibited.--No qualified health plan  
23 offered in this Commonwealth through a health insurance exchange  
24 shall exclude coverage for:

25 (1) Treatment of any postabortion complication.

26 (2) Treatment of any miscarriage or any complication  
27 related to a miscarriage.

28 (d) Option.--Nothing in this section shall prohibit an  
29 individual from purchasing optional supplemental abortion  
30 coverage provided the individual pays a separate premium for the

1 coverage and obtains the coverage outside of the health  
2 insurance exchange.]

3 Section 2. This act shall take effect in 60 days.