

**SENATE BILL 92 (LRB -1730)**

An Act to create 632.8985 of the statutes; relating to: prohibiting coverage of abortions through health plans sold through exchanges.

**2011**

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|--------|----|--|-----|
| 05-10. | S. | Introduced by Senators <b>Zipperer, Leibham, Cowles, Galloway, Hopper, Kapanke, Kedzie, Lazich, Moulton and Wanggaard</b> ; cosponsored by Representatives <b>Vos, Jacque, Ballweg, Brooks, Endsley, Farrow, Honadel, Kapenga, Kerkman, Kestell, Kleefisch, Kooyenga, Kuglitsch, LeMahieu, Nass, Nygren, A. Ott, J. Ott, Petersen, Pridemore, Severson, Spanbauer, Steineke, Thiesfeldt, Van Roy, Weininger, Williams, Wynn and Ziegelbauer.</b> |     |
| 05-10. | S. | Read first time and referred to committee on Public Health, Human Services, and Revenue .....  | 256 |
| 05-18. | S. | Senator Grothman added as a coauthor .....   | 295 |
| 05-18. | S. | Representative Strachota added as a cosponsor .....  | 295 |
| 05-25. | S. | Public hearing held.   |     |
| 06-16. | S. | Executive action taken.  |     |
| 06-16. | S. | Report passage recommended by committee on Public Health, Human Services, and Revenue, Ayes 3, Noes 2 .....  | 352 |
| 06-16. | S. | Available for scheduling.  |     |
| 10-19. | S. | Placed on calendar 10-20-2011 pursuant to Senate Rule 18(1) .....  | 511 |
| 10-20. | S. | Read a second time .....   | 516 |
| 10-20. | S. | Placed at the foot of the 11th order of business on the calendar of 10-20-2011 .....   | 516 |
| 10-20. | S. | Ordered to a third reading .....   | 518 |
| 10-20. | S. | Rules suspended .....  | 518 |
| 10-20. | S. | Read a third time .....  | 518 |
| 10-20. | S. | Refused to refer to committee on Senate Organization, Ayes 16, Noes 17 .....   | 518 |
| 10-20. | S. | <b>Passed</b> , Ayes 17, Noes 16 .....   | 519 |
| 10-25. | S. | Messaged.  |     |
| 10-27. | A. | Received from Senate .....   | 622 |

**2012**

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|--------|----|---|-----|
| 02-20. | A. | Read first time and referred to committee on Rules .....  | 819 |
| 03-06. | A. | Made a special order of business at 11:02 A.M. on 3-13-2012 pursuant to Assembly Resolution 22 .....  | 893 |
| 03-13. | A. | Read a second time.   |     |
| 03-13. | A. | Assembly amendment 1 offered by Representatives Berceau and Roys ( <b>LRB a2823</b> ).  |     |
| 03-13. | A. | Assembly amendment 1 laid on table, Ayes 62, Noes 33.   |     |
| 03-13. | A. | Assembly amendment 2 offered by Representatives C. Taylor, Zamarripa, Bewley, Ringhand, Turner, Richards, Kessler, Hulsey, Berceau, Mason, Young and Roys ( <b>LRB a2855</b> ). |     |
| 03-13. | A. | Assembly amendment 2 laid on table, Ayes 60, Noes 35.   |     |
| 03-13. | A. | Ordered to a third reading.   |     |
| 03-13. | A. | Rules suspended to read a third time, Ayes 61, Noes 34.   |     |
| 03-13. | A. | Read a third time and <b>concurred in</b> , Ayes 61, Noes 34, Paired 2.   |     |
| 03-13. | A. | Ordered immediately messaged.   |     |
| 03-13. | S. | Received from Assembly concurred in.  |     |

*MB*

**2011  
ENROLLED BILL**

11en SB-92

**ADOPTED DOCUMENTS:**

Orig     Engr         SubAmdt     

11 - 1730/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-15-12  
Date

JR Miller  
Enrolling Drafter



## 2011 SENATE BILL 92

May 10, 2011 - Introduced by Senators ZIPPERER, LEIBHAM, COWLES, GALLOWAY, HOPPER, KAPANKE, KEDZIE, LAZICH, MOULTON and WANGGAARD, cosponsored by Representatives VOS, JACQUE, BALLWEG, BROOKS, ENDSLEY, FARROW, HONADEL, KAPENGA, KERKMAN, KESTELL, KLEEFISCH, KOOYENGA, KUGLITSCH, LEMAHIEU, NASS, NYGREN, A. OTT, J. OTT, PETERSEN, PRIDEMORE, SEVERSON, SPANBAUER, STEINEKE, THIESFELDT, VAN ROY, WEININGER, WILLIAMS, WYNN and ZIEGELBAUER. Referred to Committee on Public Health, Human Services, and Revenue.

1 **AN ACT to create** 632.8985 of the statutes; **relating to:** prohibiting coverage of  
2 abortions through health plans sold through exchanges.

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### *Analysis by the Legislative Reference Bureau*

Under the federal Patient Protection and Affordable Care Act (PPACA), which was enacted on March 23, 2010, each state must establish an American health benefit exchange (exchange) to assist individuals and certain businesses in purchasing health insurance. Health insurance offered through the exchange (known as a "qualified health plan" in PPACA) must meet certain federal requirements, including offering the essential health benefits package that is established by the federal Department of Health and Human Services. PPACA allows states to prohibit coverage of abortions by qualified health plans offered through the exchange.

Under current law, funds of the state, a local government, or a long-term care district and federal funds passing through the state treasury may not be paid to a physician or surgeon or a hospital, clinic, or other medical facility for the performance of an abortion. This funding prohibition does not apply in the following circumstances: 1) the abortion is directly and medically necessary to save the life of the woman and a physician so certifies; 2) the abortion is performed in the case of sexual assault or incest, a physician so certifies, and the sexual assault or incest is reported to law enforcement; and 3) due to a preexisting medical condition, the abortion is directly and medically necessary to prevent grave, long-lasting physical health damage to the woman and a physician so certifies.

This bill prohibits a qualified health plan offered through any exchange operating in this state from covering any abortion the performance of which is

