

By: Campbell

S.B. No. 1872

A BILL TO BE ENTITLED

AN ACT

relating to coverage provided by certain qualified health plans for abortions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 8, Insurance Code, is amended by adding Subtitle L to read as follows:

SUBTITLE L. FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT

CHAPTER 1692. COVERAGE FOR ABORTION; PROHIBITIONS AND REQUIREMENTS

Sec. 1692.001. DEFINITIONS. In this chapter:

(1) "Abortion" has the meaning assigned by Section 171.002, Health and Safety Code.

(2) "Health benefit exchange" means an American Health Benefit Exchange administered by the federal government or created under Section 1311(b), Patient Protection and Affordable Care Act (42 U.S.C. Section 18031(b)).

(3) "Qualified health plan" has the meaning assigned by Section 1301(a), Patient Protection and Affordable Care Act (42 U.S.C. Section 18021(a)).

Sec. 1692.002. PROHIBITED COVERAGE THROUGH HEALTH BENEFIT EXCHANGE. (a) A qualified health plan offered through a health benefit exchange may not provide coverage for an abortion other than coverage for an abortion performed when a condition exists, based on reasonable medical judgment, that complicates the medical condition of the pregnant woman or pregnant minor to an extent that:

1           (1) the immediate abortion of her pregnancy is  
2 necessary to avert her death; or

3           (2) a delay in performing the abortion creates a  
4 serious risk of substantial and irreversible physical impairment of  
5 a major bodily function, other than a psychological or emotional  
6 condition.

7           (b) Subsection (a) does not authorize coverage for an  
8 abortion based on a potential future medical condition that may  
9 result from a voluntary act of the woman or minor after the abortion  
10 is performed.

11           (c) This section does not prevent a person from purchasing  
12 optional or supplemental coverage for abortion under a health  
13 benefit plan other than a qualified health plan offered through a  
14 health benefit exchange.

15           SECTION 2. This Act applies only to a qualified health plan  
16 offered through a health benefit exchange that is delivered, issued  
17 for delivery, or renewed on or after January 1, 2016. A qualified  
18 health plan offered through a health benefit exchange that is  
19 delivered, issued for delivery, or renewed before January 1, 2016,  
20 is governed by the law as it existed immediately before the  
21 effective date of this Act, and that law is continued in effect for  
22 that purpose.

23           SECTION 3. This Act takes effect September 1, 2015.