
DIGEST

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HB 891 Engrossed

2018 Regular Session

Hoffmann

Abstract: Provides for applicability of and exceptions to the prohibition on public funding for entities that perform abortions.

Present law provides that no institution, board, commission, department, agency, official, or employee of the state, or of any local political subdivision thereof, shall contract with, award any grant to, or otherwise bestow any funding upon, an entity or organization that performs abortions, or that contracts with an entity or organization that performs abortions, in this state. Stipulates that the prohibition shall apply to state funds, federal funds, and any other funds that may be used for purposes of contracting for services, providing reimbursements, or grant issuance.

Proposed law revises present law by removing references to contracting, thereby causing the prohibition to apply only to funding mechanisms other than contracts.

Proposed law revises present law to provide that entities prohibited from receiving certain public funding are those that do any of the following:

- (1) Performs abortions in this state.
- (2) Provides facilities to another healthcare provider, entity, or organization for the purpose of performing abortions in this state.
- (3) Hires or retains another healthcare provider, entity, or organization for the purpose of performing abortions in this state.
- (4) Provides reimbursable Medicaid services in the same physical facility as a licensed outpatient abortion facility.

Proposed law prohibits the La. Department of Health from entering into a Medicaid provider agreement with any entity that is prohibited from receiving certain public funding for abortion-related reasons.

Proposed law stipulates that the prohibition on public funding established by present law and proposed law shall apply to state funds, federal funds, and any other public funds for procuring goods or services, or for providing Medicaid services, reimbursements, or grants.

Proposed law provides that the prohibition on public funding established by present law and

proposed law shall not be construed to prohibit provision of public protections such as fire, police, or emergency medical services, public utilities, or other such services to any entity or organization in the same manner as provided to the general public.

Present law provides that a license issued to an outpatient abortion facility is valid for only one location. Proposed law retains present law and adds thereto a requirement that each abortion facility's location shall be physically and financially separate from any facility where publicly funded Medicaid services are provided, as required by proposed law.

Proposed law provides for redesignation of a chapter of present law comprised of R.S. 36:21 to a chapter comprised of R.S. 49:200.51.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 36:21(B) and R.S. 40:1061.6(A)(2) and 2175.4(B))