

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 891

2018 Regular Session

Hoffmann

ABORTION: Provides relative to the prohibition on public funding for entities that perform abortions

Synopsis of Senate Amendments

1. Deletes present law and proposed law prohibiting institutions, boards, commissions, departments, agencies, officials, and employees of the state and its local political subdivisions from awarding any grant of public funds to a provider of elective abortions.
2. Deletes proposed law prohibiting the La. Department of Health (LDH) from entering into a Medicaid provider agreement with any entity that provides facilities to another healthcare provider, entity, or organization for the purpose of performing elective abortions.
3. Prohibits LDH from entering into a Medicaid provider agreement with any entity that provides its own facilities where reimbursable Medicaid services are performed for the use of another healthcare provider, entity, or organization that performs elective abortions.
4. Deletes present law and proposed law providing that the prohibition on public funding for providers of elective abortions shall apply to state funds, federal funds, and any other public funds for procuring goods or services and for providing Medicaid services, reimbursements, or grants.
5. Provides that the prohibition on public funding for providers of elective abortions shall apply to state funds, federal funds, and any other public funds administered by LDH through a Medicaid provider agreement.
6. Stipulates that if a grant of state or federal funding is denied to a healthcare provider, entity, or organization pursuant to present law and proposed law, such grant shall be redirected to qualified providers in the same geographical region as the provider, entity, or organization that was disqualified from receiving the grant.
7. Changes the effective date of proposed law from the date of signature by the governor to 30 days after the effective date of any federal law or regulation authorizing La. to prohibit any provider of elective abortions from receiving Medicaid funding for any healthcare service.

Digest of Bill as Finally Passed by Senate

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 to provide that the prohibition on public funding for abortion providers shall apply to state funds, federal funds, and any other public funds

administered by the La. Department of Health (LDH) through a Medicaid provider agreement.

Proposed law revises present law to prohibit LDH from entering into a Medicaid provider agreement with any healthcare provider, entity, or organization that does any of the following:

- (1) Performs abortions in this state.
- (2) Provides its own facilities where reimbursable Medicaid services are performed for the use of 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 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 administered by LDH through a Medicaid provider agreement.

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 30 days after the effective date of any federal law or regulation authorizing La. to prohibit any provider of elective abortions from receiving Medicaid funding for any healthcare service.

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