
DIGEST

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Hoffmann

HB No. 1247

Abstract: Prohibits all health insurance issuers from including abortion in any health care coverage available in the state.

Proposed law provides for legislative findings.

Proposed law provides definitions of "elective abortion", "health insurance issuer", and "health insurance coverage".

Proposed law provides that an abortion necessary to preserve the life of the mother shall not be deemed an "elective abortion".

Proposed law prohibits coverage of elective abortions by any health insurance issuer which provides plans or policies issued in the state.

Proposed law applies to any entity that offers health insurance coverage subject to state law that regulates the business of insurance; to the Office of Group Benefits; to any entity created pursuant to the Patient Protection and Affordable Care Act (federal health care reform act) of 2010, and to any hospital, health or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, health and accident insurance policy, or any other insurance contract of this type which is regulated by the Dept. of Insurance, including a group insurance plan, and a self-insurance plan, which delivers or issues for delivery policies or contracts for health insurance coverage in this state.

Proposed law requires that on or after its effective date, any new policy, contract, program, or plan issued shall not include benefits payable for elective abortions, with the prohibition on elective abortion effective on or before the renewal date of the coverage.

Proposed law requires that in a case when a physician performs an abortion to preserve the life of the mother (a non-elective abortion), the physician must certify in writing:

- (1) The specific medical indications leading to the conclusion that the abortion was necessary to preserve the life of the mother; and
- (2) In the case that the unborn child is viable, that all reasonable steps, in accordance with good medical practice, were taken to preserve the life of the unborn child.

Proposed law shall not be construed to recognize any independent right to abortion under the constitution or laws of this state.

Proposed law shall not be construed to recognize the constitutional validity of the Patient Protection and Affordable Care Act (federal health care reform act) of 2010.

Proposed law provides that its provisions shall be severable.

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

(Adds R.S. 22:1016)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Insurance to the original bill.

1. Deleted portions of legislative findings.
2. Clarified that proposed law applies only to health insurance contracts that are regulated by the Dept. of Insurance.
3. Clarified that the provisions of proposed law are severable.