

AN ACT

To enact section 124.85 of the Revised Code to prohibit the use of state funds to provide healthcare insurance benefits for nontherapeutic abortions received by officers and employees of the state.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 124.85 of the Revised Code be enacted to read as follows:

Sec. 124.85. (A) As used in this section:

(1) "nontherapeutic abortion" means an abortion that is performed or induced when the life of the mother would not be endangered if the fetus were carried to term or when the pregnancy of the mother was not the result of rape or incest reported to a law enforcement agency.

(2) "Policy, contract, or plan" means a policy, contract, or plan of one or more insurance companies, medical care corporations, health care corporations, health maintenance organizations, preferred provider organizations, or other entities that provides health, medical, hospital, or surgical coverage, benefits, or services to elected or appointed officers or employees of the state, INCLUDING A PLAN THAT IS ASSOCIATED WITH A SELF-INSURANCE PROGRAM AND A POLICY, CONTRACT, OR PLAN THAT IMPLEMENTS A COLLECTIVE BARGAINING AGREEMENT.

(3) "STATE" HAS THE SAME MEANING AS IN SECTION 2744.01 of the Revised Code.

(B) Subject to division (C) of this section, but notwithstanding other provisions of the Revised Code that conflict with the prohibition specified in this division, funds of the state shall not be EXPENDED DIRECTLY Or indirectly to pay the costs, premiums, or charges associated with a policy, contract, or plan if the POLICY, CONTRACT, OR PLAN PROVIDES COVERAGE, BENEFITS, OR SERVICES RELATED TO A NONTHERAPEUTIC ABORTION.

(C) DIVISION (B) OF THIS SECTION DOES NOT PRECLUDE THE STATE FROM EXPENDING FUNDS to pay the costs, premiums, or

charges associated with a policy, contract, or plan that includes a rider or other provision offered on an individual basis under which an elected or appointed official or employee who accepts the offer of the rider or provision may obtain coverage of a nontherapeutic abortion through the policy, contract, or plan if the individual pays for all of the costs, premiums, or charges associated with the rider or provision, including all administrative expenses related to the rider or provision and any claim made for a nontherapeutic abortion.

(D) IN ADDITION TO THE LAWS SPECIFIED IN DIVISION (A) OF SECTION 4117.10 of the Revised Code THAT PREVAIL OVER CONFLICTING PROVISIONS OF AGREEMENTS BETWEEN EMPLOYEE ORGANIZATIONS AND PUBLIC EMPLOYERS, DIVISIONS (B) AND (C) OF THIS SECTION SHALL PREVAIL OVER CONFLICTING PROVISIONS OF THAT NATURE.

SECTION 2. Section 124.85 of the Revised Code applies to policies, contracts, and plans that are issued, established, renewed, modified, or subject to a period of open enrollment on or after the effective date of that section.

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

Governor.

Am. H. B. No. 395

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____