

As Introduced

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Regular Session

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H. B. No. 360

Representatives Celebrezze, Antonio

**Cosponsors: Representatives Johnson, G., Smith, K., Slesnick, Lepore-Hagan,
Leland, Sheehy, Fedor, Bishoff**

A BILL

To amend sections 3727.60 and 5101.57 and to repeal 1
sections 9.04 and 3901.87 of the Revised Code to 2
repeal the prohibitions against including 3
abortion coverage in insurance plans purchased 4
through the federal health insurance exchange 5
and in health insurance policies, contracts, or 6
plans offered to public officers and employees. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3727.60 and 5101.57 of the 8
Revised Code be amended to read as follows: 9

Sec. 3727.60. (A) As used in this section: 10

(1) "Ambulatory surgical facility" has the same meaning as 11
in section 3702.30 of the Revised Code. 12

(2) "~~Nontherapeutic abortion~~" ~~has the same meaning as in~~ 13
~~section 9.04 of the Revised Code~~ means an abortion that is 14
performed or induced when the life of the mother would not be 15
endangered if the fetus were carried to term or when the 16
pregnancy of the mother was not the result of rape or incest 17

reported to a law enforcement agency. 18

(3) "Political subdivision" means any body corporate and 19
politic that is responsible for governmental activities in a 20
geographic area smaller than the state. 21

(4) "Public hospital" means a hospital registered with the 22
department of health under section 3701.07 of the Revised Code 23
that is owned, leased, or controlled by this state or any 24
agency, institution, instrumentality, or political subdivision 25
of this state. "Public hospital" includes any state university 26
hospital, state medical college hospital, joint hospital, or 27
public hospital agency. 28

(5) "Written transfer agreement" means an agreement 29
described in section 3702.303 of the Revised Code. 30

(B) No public hospital shall do either of the following: 31

(1) Enter into a written transfer agreement with an 32
ambulatory surgical facility in which nontherapeutic abortions 33
are performed or induced; 34

(2) Authorize a physician who has been granted staff 35
membership or professional privileges at the public hospital to 36
use that membership or those privileges as a substitution for, 37
or alternative to, a written transfer agreement for purposes of 38
a variance application described in section 3702.304 of the 39
Revised Code that is submitted to the director of health by an 40
ambulatory surgical facility in which nontherapeutic abortions 41
are performed or induced. 42

Sec. 5101.57. (A) As used in this section: 43

(1) "Nontherapeutic abortion" has the same meaning as in 44
section ~~124.85~~ 3727.60 of the Revised Code. 45

(2) "Political subdivision" means any body corporate and politic that is responsible for governmental activities in a geographic area smaller than the state, except that "political subdivision" does not include either of the following:

(a) A municipal corporation;

(b) A county that has adopted a charter under Section 3 of Article X, Ohio Constitution, to the extent that it is exercising the powers of local self-government as provided in that charter and is subject to Section 3 of Article XVIII, Ohio Constitution.

(3) "Public facility" means any institution, structure, equipment, or physical asset that is owned, leased, or controlled by this state or any agency, institution, instrumentality, or political subdivision thereof. "Public facility" includes any state university, state medical college, health district, joint hospital, or public hospital agency.

(B) No public facility shall be used for the purpose of performing or inducing a nontherapeutic abortion.

Section 2. That existing sections 3727.60 and 5101.57 and sections 9.04 and 3901.87 of the Revised Code are hereby repealed.