

By: Senator(s) Nunnelee, Hewes

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3214

1 AN ACT ENTITLED THE "FEDERAL ABORTION-MANDATE OPT-OUT ACT";
2 TO PROHIBIT THE USE OF FEDERAL FUNDS TO PAY FOR ELECTIVE ABORTIONS
3 COVERED BY PRIVATE INSURANCE IN THE STATE OF MISSISSIPPI THROUGH A
4 HEALTH CARE EXCHANGE; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1. Title.** This act may be known and cited as the
7 "Federal Abortion-Mandate Opt-Out Act."

8 **SECTION 2. Legislative findings and purposes.** (1) The
9 Legislature of the State of Mississippi finds that Section 1303 of
10 the federal Patient Protection and Affordable Care Act, states are
11 explicitly permitted to pass laws prohibiting qualified health
12 plans offered through an exchange in their state from offering
13 abortion coverage.

14 (2) It is the purpose of this act to affirmatively opt out
15 of allowing qualified health plans that cover abortions to
16 participate in exchanges within the State of Mississippi.

17 **SECTION 3. Opt-Out.** (1) No abortion coverage may be
18 provided by a qualified health plan offered through an exchange
19 created pursuant to the federal Patient Protection and Affordable
20 Care Act within the State of Mississippi.

21 (2) This limitation shall not apply to an abortion performed
22 (a) when the life of the mother is endangered by a physical
23 disorder, physical illness or physical injury, including a
24 life-endangering physical condition caused by or arising from the
25 pregnancy itself, or (b) when the pregnancy is the result of an
26 alleged act of rape or incest. The physician is required to
27 maintain sufficient documentation in the medical record that



28 supports the medical necessity for the abortion for one of the
29 reasons outlined in this subsection (2).

30 **SECTION 4.** This act shall take effect and be in force from
31 and after its passage.

