



February 25, 2014

ENGROSSED HOUSE BILL No. 1123

DIGEST OF HB 1123 (Updated February 20, 2014 12:22 pm - DI 55)

Citations Affected: IC 27-8; IC 27-13.

Synopsis: Abortion coverage. Prohibits accident and sickness insurance policies and health maintenance organization contracts from providing abortion coverage except in specified circumstances. Allows an insurer or health maintenance organization to provide abortion coverage through a rider or an endorsement.

Effective: July 1, 2014.

Thompson, Lehman, Frye R

(SENATE SPONSORS — WALKER, YOUNG R, HOLDMAN)

January 9, 2014, read first time and referred to Committee on Insurance.
January 16, 2014, amended, reported — Do Pass.
January 23, 2014, read second time, amended, ordered engrossed.
January 24, 2014, engrossed.
January 27, 2014, read third time, passed. Yeas 80, nays 14.

SENATE ACTION

February 4, 2014, read first time and referred to Committee on Insurance.
February 24, 2014, amended, reported favorably — Do Pass.

EH 1123—LS 6892/DI 104



February 25, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1123

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

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

- 1 SECTION 1. IC 27-8-13.4 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]:
4 **Chapter 13.4. Coverage for Abortion**
5 **Sec. 1. (a) As used in this chapter, "accident and sickness**
6 **insurance policy" means an insurance policy that:**
7 (1) **provides one (1) or more of the types of insurance**
8 **described in IC 27-1-5-1, Class 1(b) and Class 2(a); and**
9 (2) **is issued on a group or individual basis.**
10 (b) **As used in this chapter, "accident and sickness insurance**
11 **policy" does not include the following:**
12 (1) **Accident only, credit, dental, vision, Medicare supplement,**
13 **long term care, or disability income insurance.**
14 (2) **Coverage issued as a supplement to liability insurance.**
15 (3) **Worker's compensation or similar insurance.**
16 (4) **Automobile medical payment insurance.**

EH 1123—LS 6892/DI 104



- 1 (5) A specified disease policy.
- 2 (6) A short term insurance plan that:
- 3 (A) may not be renewed; and
- 4 (B) has a duration of not more than six (6) months.
- 5 (7) A policy that provides indemnity benefits not based on any
- 6 expense incurred requirement, including a plan that provides
- 7 coverage for:
- 8 (A) hospital confinement, critical illness, or intensive care;
- 9 or
- 10 (B) gaps for deductibles or copayments.
- 11 (8) A supplemental plan that always pays in addition to other
- 12 coverage.
- 13 (9) An employer sponsored health benefit plan that is:
- 14 (A) provided to individuals who are eligible for Medicare;
- 15 and
- 16 (B) not marketed as, or held out to be, a Medicare
- 17 supplement policy.
- 18 **Sec. 2. (a) An accident and sickness insurance policy that is**
- 19 **issued, delivered, amended, or renewed after December 31, 2014,**
- 20 **may not provide coverage for abortion, except in the following**
- 21 **cases:**
- 22 (1) The pregnant woman became pregnant through an act of
- 23 rape or incest.
- 24 (2) An abortion is necessary to avert the pregnant woman's
- 25 death or a substantial and irreversible impairment of a major
- 26 bodily function of the pregnant woman.
- 27 (b) An insurer that issues an accident and sickness insurance
- 28 policy described in subsection (a) may offer coverage for abortion
- 29 through a rider or an endorsement.
- 30 SECTION 2. IC 27-13-7-7.5 IS ADDED TO THE INDIANA CODE
- 31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 32 1, 2014]: **Sec. 7.5. (a) A health maintenance organization that**
- 33 **provides coverage for basic health care services and that is entered**
- 34 **into, delivered, amended, or renewed after December 31, 2014,**
- 35 **under a group contract or an individual contract may not provide**
- 36 **coverage for abortion, except in the following cases:**
- 37 (1) The pregnant woman became pregnant through an act of
- 38 rape or incest.
- 39 (2) An abortion is necessary to avert the pregnant woman's
- 40 death or a substantial and irreversible impairment of a major
- 41 bodily function of the pregnant woman.
- 42 (b) A health maintenance organization that enters into a group



1 **contract or an individual contract described in subsection (a) may**
2 **offer coverage for abortion through a rider or an endorsement.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1123, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 19, after "2." insert **"(a)"**.

Page 2, line 19, after "policy" insert **"that is issued, delivered, amended, or renewed after June 30, 2014,"**.

Page 2, between lines 25 and 26, begin a new paragraph and insert:

"(b) An insurer that issues an accident and sickness insurance policy described in subsection (a) may offer coverage for abortion through a rider or an endorsement."

Page 2, line 28, after "7.5." insert **"(a)"**.

Page 2, line 29, after "services" insert **"and that is entered into, delivered, amended, or renewed after June 30, 2014,"**.

Page 2, line 29, delete "or" and insert **"contract or an"**.

Page 2, after line 36, begin a new paragraph and insert:

"(b) A health maintenance organization that enters into a group contract or an individual contract described in subsection (a) may offer coverage for abortion through a rider or an endorsement."

and when so amended that said bill do pass.

(Reference is to HB 1123 as introduced.)

LEHMAN, Chair

Committee Vote: yeas 11, nays 1.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1123 be amended to read as follows:

Page 2, delete line 13.

Page 2, line 14, delete "(10)" and insert **"(9)"**.

(Reference is to HB 1123 as printed January 17, 2014.)

THOMPSON



COMMITTEE REPORT

Madam President: The Senate Committee on Insurance, to which was referred House Bill No. 1123, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 19, delete "June 30," and insert "**December 31**,"

Page 2, line 33, delete "June 30," and insert "**December 31**,"

and when so amended that said bill do pass.

(Reference is to HB 1123 as reprinted January 24, 2014.)

PAUL, Chairperson

Committee Vote: Yeas 8, Nays 1.

