## 103D CONGRESS 2D SESSION **H. R. 3880**

To prohibit the Secretary of Health and Human Services from finding that a State medicaid plan is not in compliance with title XIX of the Social Security Act solely on the grounds that the plan does not cover abortions for pregnancies resulting from an act of rape or incest if coverage for such abortions is inconsistent with State law.

## IN THE HOUSE OF REPRESENTATIVES

## February 23, 1994

Mr. DICKEY (for himself, Mr. DORNAN, Mr. EMERSON, Mr. BARTLETT of Maryland, Mr. BUNNING, Mr. TALENT, Mr. ISTOOK, Mr. KNOLLENBERG, Mr. BACHUS of Alabama, Mr. INGLIS of South Carolina, Mr. SOLOMON, Mr. ARMEY, Mr. LINDER, Mr. MCCRERY, Mr. BARTON of Texas, Mr. PENNY, Mr. BEREUTER, Mr. LIPINSKI, and Mr. BOEHNER) introduced the following bill; which was referred to the Committee on Energy and Commerce

## A BILL

- To prohibit the Secretary of Health and Human Services from finding that a State medicaid plan is not in compliance with title XIX of the Social Security Act solely on the grounds that the plan does not cover abortions for pregnancies resulting from an act of rape or incest if coverage for such abortions is inconsistent with State law.
  - 1 Be it enacted by the Senate and House of Representa-
  - 2 tives of the United States of America in Congress assembled,

SECTION 1. PROHIBITING FINDING OF NON-COMPLIANCE
WITH MEDICAID REQUIREMENTS BASED ON
FAILURE OF STATE PLAN TO COVER ABOR TIONS FOR PREGNANCIES RESULTING FROM
RAPE OR INCEST.

(a) IN GENERAL.—Notwithstanding any provision of 6 7 title XIX of the Social Security Act (including section 1902(a)(10)(A) of such Act), the Secretary of Health and 8 Human Services may not find that a State plan for medi-9 cal assistance under such title fails to meet the require-10 ments of such title for any quarter solely on the grounds 11 that the State does not provide for coverage of an abortion 12 under the State plan during the quarter for a pregnancy 13 resulting from an act of rape or incest if coverage for such 14 an abortion is inconsistent with State law. 15

(b) EFFECTIVE DATE.—Subsection (a) shall apply toquarters beginning on or after October 1, 1993.

0