

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. CON. RES. 254

Correcting the enrollment of H.R. 3590.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2010

Mr. STUPAK (for himself, Mr. BERRY, Mr. BISHOP of Georgia, Mr. CAO, Mrs. DAHLKEMPER, Mr. DRIEHAUS, Ms. KAPTUR, Mr. LIPINSKI, Mr. MOLLOHAN, Mr. RAHALL, and Mr. ELLSWORTH) submitted the following concurrent resolution; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## CONCURRENT RESOLUTION

Correcting the enrollment of H.R. 3590.

1        *Resolved by the House of Representatives (the Senate*  
2 *concurring)*, That in the enrollment of the bill H.R. 3590,  
3 the Clerk of the House of Representatives shall make the  
4 following corrections:

5            (1) In the section 1303 amended by section  
6        10104(c) of the bill—

7            (A) in the section heading, insert “**RELAT-**  
8            **ING TO COVERAGE OF ABORTION SERV-**  
9            **ICES**” after “**SPECIAL RULES**”; and

1           (B) strike subsection (a) and all of sub-  
2           section (b) that precedes paragraph (4) and in-  
3           sert the following:

4           “(a) IN GENERAL.—Nothing in this Act (or any  
5 amendment made by this Act) shall be construed to re-  
6 quire any health plan to provide coverage of abortion serv-  
7 ices or to allow the Secretary or any other person or entity  
8 implementing this Act (or amendment) to require coverage  
9 of such services.

10          “(b) LIMITATION ON ABORTION FUNDING.—

11           “(1) IN GENERAL.—None of the funds author-  
12 ized or appropriated by this Act (or an amendment  
13 made by this Act), including credits under section  
14 36B of the Internal Revenue Code of 1986, shall be  
15 expended for any abortion or to cover any part of  
16 the costs of any health plan that includes coverage  
17 of abortion, except in the case where a woman suf-  
18 fers from a physical disorder, physical injury, or  
19 physical illness that would, as certified by a physi-  
20 cian, place the woman in danger of death unless an  
21 abortion is performed, including a life-endangering  
22 physical condition caused by or arising from the  
23 pregnancy itself, or unless the pregnancy is the re-  
24 sult of an act of rape or incest.

1           “(2) OPTION TO PURCHASE SEPARATE COV-  
2           ERAGE OR PLAN.—Subject to paragraph (1), nothing  
3           in this subsection shall be construed as prohibiting  
4           any non-Federal entity (including an individual or a  
5           State or local government) from purchasing separate  
6           coverage for abortions for which funding is prohib-  
7           ited under this subsection, or a plan that includes  
8           such abortions, so long as such coverage or plan is  
9           not purchased using the non-Federal funds required  
10          to receive a Federal payment, including a premium  
11          payment required for a qualified health plan towards  
12          which the credit described in paragraph (1) is ap-  
13          plied or a State’s or locality’s contribution of Med-  
14          icaid matching funds.

15          “(3) OPTION TO OFFER COVERAGE OR PLAN.—  
16          Subject to paragraph (1), nothing in this subsection  
17          shall restrict any non-Federal health insurance  
18          issuer offering a qualified health plan from offering  
19          separate coverage for abortions for which funding is  
20          prohibited under this subsection, or a plan that in-  
21          cludes such abortions, so long as any such issuer  
22          that offers a qualified health plan through an Ex-  
23          change that includes coverage for abortions for  
24          which funding is prohibited under this subsection  
25          also offers a qualified health plan through the Ex-

1 change that is identical in every respect except that  
2 it does not cover such abortions.”.

3 (2) In subsection (a) of the section 1334 added  
4 by section 10104(q) of the bill, strike paragraph (6)  
5 and redesignate paragraph (7) as paragraph (6).

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