

113TH CONGRESS
1ST SESSION

S. 154

To amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban.

IN THE SENATE OF THE UNITED STATES

JANUARY 24 (legislative day, JANUARY 3), 2013

Mr. COBURN (for himself, Mr. THUNE, Mr. PAUL, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. BOOZMAN, Mr. GRASSLEY, Mr. RISCH, Mr. WICKER, Mr. VITTER, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing the Offer-
5 ing of Elective Coverage of Taxpayer-Funded-Abortion
6 Act of 2013” or the “PROTECT Act”.

1 **SEC. 2. CONSISTENCY WITH FEDERAL ABORTION FUNDING**
2 **BAN FOR COVERAGE UNDER MULTI-STATE**
3 **PLANS IN EXCHANGES.**

4 (a) IN GENERAL.—Paragraph (6) of section 1334(a)
5 of the Patient Protection and Affordable Care Act (42
6 U.S.C. 18054(a)(6)) is amended to read as follows:

7 “(6) CONSISTENCY WITH FEDERAL ABORTION
8 FUNDING BAN.—

9 “(A) IN GENERAL.—In entering into con-
10 tracts under this subsection, the Director shall
11 ensure that no multi-State qualified health plan
12 offered in an Exchange provides for coverage of
13 abortions.

14 “(B) EXCEPTION.—The limitation estab-
15 lished in subparagraph (A) shall not apply to
16 an abortion—

17 “(i) if the pregnancy is the result of
18 an act of rape or incest; or

19 “(ii) in a case where a woman suffers
20 from a physical disorder, physical injury,
21 or physical illness that would, as certified
22 by a physician, place the woman in danger
23 of death unless an abortion is performed,
24 including a life-endangering physical condi-
25 tion caused by or arising from the preg-
26 nancy itself.”.

1 (b) PREEMPTION.—Section 1303(c) of the Patient
2 Protection and Affordable Care Act (42 U.S.C. 18023(e))
3 is amended—

4 (1) in paragraph (1), by striking “Nothing in
5 this Act” and inserting “Subject to paragraph (4),
6 nothing in this Act”; and

7 (2) by adding at the end the following:

8 “(4) APPLICATION OF LIMITATION FOR MULTI-
9 STATE PLANS.—Paragraph (6) of section 1334(a)
10 shall preempt any State law requiring coverage of or
11 funding for abortions with respect to the application
12 of such law to multi-State qualified health plans.”.

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