

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 730  
Committee Substitute Favorable 5/15/13  
Third Edition Engrossed 5/16/13

Short Title: Insurance & Health Care Conscience Protection.

(Public)

Sponsors:

Referred to:

April 11, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY CERTAIN LAWS PERTAINING TO ABORTION HEALTH  
3 INSURANCE COVERAGE AND TO LIMIT ABORTION COVERAGE UNDER  
4 HEALTH INSURANCE PLANS OFFERED UNDER A HEALTH BENEFIT  
5 EXCHANGE OPERATING IN NORTH CAROLINA OR OFFERED BY A COUNTY OR  
6 MUNICIPALITY.

7 The General Assembly of North Carolina enacts:

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9 **PART I. HEALTH CARE CONSCIENCE PROTECTION**

10 **SECTION 1.(a)** G.S. 14-45.1(e) reads as rewritten:

11 "(e) Nothing in this section shall require a physician licensed to practice medicine in  
12 ~~North Carolina or~~ Carolina, any ~~nurse-nurse~~, or any other health care provider who shall state  
13 an objection to abortion on moral, ethical, or religious grounds, to perform or participate in  
14 medical procedures which result in an abortion. The refusal of ~~such physician-a~~ physician,  
15 nurse, or health care provider to perform or participate in these medical procedures shall not be  
16 a basis for damages for ~~such-the~~ the refusal, or for any disciplinary or any other recriminatory  
17 action against ~~such physician-the~~ the physician, nurse, or health care provider. For purposes of this  
18 section, the phrase "health care provider" shall have the same meaning as defined under  
19 G.S. 90-410(1)."

20 **SECTION 1.(b)** G.S. 14-45.1(f) reads as rewritten:

21 "(f) Nothing in this section shall require a ~~hospital-or~~ hospital, other health care  
22 ~~institution-institution~~, or other health care provider to perform an abortion or to provide  
23 abortion services."  
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25 **PART II. LIMITS ON ABORTION FUNDING UNDER HEALTH INSURANCE PLANS**  
26 **OFFERED THROUGH A HEALTH INSURANCE EXCHANGE OR BY LOCAL**  
27 **GOVERNMENTS**

28 **SECTION 2.(a)** Article 51 of Chapter 58 is amended by adding the following new  
29 section:

30 **"§ 58-51-63. Coverage for abortions not allowed in plans offered through Exchange.**

31 (a) Pursuant to the authority granted to states under 42 U.S.C. § 18023(a), no qualified  
32 health plan offered through an Exchange created under Subchapter III of Chapter 157 of Title  
33 42 of the U.S. Code and operating within this State shall include coverage for abortion services.

34 (b) The coverage limitation in subsection (a) of this section shall not apply to an  
35 abortion performed when the life of the mother is endangered by a physical disorder, physical



1 illness, or physical injury, including a life-endangering physical condition caused by or arising  
2 from the pregnancy itself or when the pregnancy is the result of an act of rape or incest."

3 **SECTION 2.(b)** G.S. 153A-92(d) reads as rewritten:

4 "(d) A county may purchase life insurance or health insurance or both for the benefit of  
5 all or any class of county officers and employees as a part of their compensation. A county may  
6 provide other fringe benefits for county officers and employees. In providing health insurance  
7 to county officers and employees, a county shall not provide abortion coverage greater than that  
8 provided by the State Health Plan for Teachers and State Employees under Article 3B of  
9 Chapter 135 of the General Statutes."

10 **SECTION 2.(c)** G.S. 160A-162(b) reads as rewritten:

11 "(b) The council may purchase life, health, and any other forms of insurance for the  
12 benefit of all or any class of city employees and their dependents, and may provide other fringe  
13 benefits for city employees. In providing health insurance to city employees, the council shall  
14 not provide abortion coverage greater than that provided by the State Health Plan for Teachers  
15 and State Employees under Article 3B of Chapter 135 of the General Statutes."

### 16 17 **PART III. EFFECTIVE DATE**

18 **SECTION 3.** Sections 1(a) and 1(b) of this act are effective when they become  
19 law. Sections 2(a), 2(b), and 2(c) of this act become effective October 1, 2013, and apply to  
20 insurance contracts or policies issued, renewed, or amended on or after that date. The  
21 remainder of this act is effective when it becomes law.