



ARIZONA STATE SENATE
Fifty-Second Legislature, First Regular Session

FACT SHEET FOR S.B. 1318

abortion; health care exchange; licensure

Purpose

Removes an exception to the prohibition of health care exchanges providing coverage for abortions, and requires an abortion clinic to submit all required documentation to the Department of Health Services (DHS) Director (Director) on initial licensure and subsequent renewals.

Background

Abortion clinic means a facility, other than a hospital, in which five or more first trimester abortions in any month or any second or third trimester abortions are performed (A.R.S. § 36-449.01).

Statute defines *abortion* as the use of any means to terminate the clinically diagnosable pregnancy of a woman with the knowledge that the termination by those means will cause, with reasonable likelihood, the death of the unborn child. Abortion does not include birth control devices, oral contraceptives used to inhibit or prevent ovulation, conception or the implantation of a fertilized ovum in the uterus or the use of any means to save the life or preserve the health of the unborn child, to preserve the life or health of the child after a live birth, to terminate an ectopic pregnancy or to remove a dead fetus (A.R.S. § 36-2151).

Laws 2010, Chapter 114, prohibits a qualified health insurance policy, contract or plan offered through a state health care exchange from providing coverage for abortions unless the coverage is offered as a separate optional rider for which an additional insurance premium is charged, consistent with the provisions of the Patient Protection and Affordable Care Act. It also provides an exception to this prohibition if the abortion was necessary to either save the woman's life or avert substantial and irreversible impairment of a major bodily function.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Retracts the exception to the prohibition of health care exchanges providing coverage for abortion when coverage is offered as a separate optional rider where an additional premium is charged.
2. Prohibits any health care exchange operating in Arizona, rather than only Arizona-based exchanges, from providing coverage for abortions.

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3. Requires an abortion clinic to submit to the Director all required documentation, including verification that the physicians who perform abortions have the required admitting privileges at a health care institution, on initial licensure and any subsequent renewal.
4. Makes technical changes.
5. Becomes effective on the general effective date.

Prepared by Senate Research

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