

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE ENROLLED ACT No. 1123

AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 27-8-13.4 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 13.4. Coverage for Abortion

Sec. 1. (a) As used in this chapter, "accident and sickness insurance policy" means an insurance policy that:

- (1) provides one (1) or more of the types of insurance described in IC 27-1-5-1, Class 1(b) and Class 2(a); and**
- (2) is issued on a group or individual basis.**

(b) As used in this chapter, "accident and sickness insurance policy" does not include the following:

- (1) Accident only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.**
- (2) Coverage issued as a supplement to liability insurance.**
- (3) Worker's compensation or similar insurance.**
- (4) Automobile medical payment insurance.**
- (5) A specified disease policy.**
- (6) A short term insurance plan that:**
 - (A) may not be renewed; and**
 - (B) has a duration of not more than six (6) months.**
- (7) A policy that provides indemnity benefits not based on any**

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expense incurred requirement, including a plan that provides coverage for:

- (A) hospital confinement, critical illness, or intensive care; or
 - (B) gaps for deductibles or copayments.
- (8) A supplemental plan that always pays in addition to other coverage.
- (9) An employer sponsored health benefit plan that is:
- (A) provided to individuals who are eligible for Medicare; and
 - (B) not marketed as, or held out to be, a Medicare supplement policy.

Sec. 2. (a) An accident and sickness insurance policy that is issued, delivered, amended, or renewed after December 31, 2014, may not provide coverage for abortion, except in the following cases:

- (1) The pregnant woman became pregnant through an act of rape or incest.
- (2) An abortion is necessary to avert the pregnant woman's death or a substantial and irreversible impairment of a major bodily function of the pregnant woman.

(b) An insurer that issues an accident and sickness insurance policy described in subsection (a) may offer coverage for abortion through a rider or an endorsement.

SECTION 2. IC 27-13-7-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 7.5. (a) A health maintenance organization that provides coverage for basic health care services and that is entered into, delivered, amended, or renewed after December 31, 2014, under a group contract or an individual contract may not provide coverage for abortion, except in the following cases:**

- (1) The pregnant woman became pregnant through an act of rape or incest.
- (2) An abortion is necessary to avert the pregnant woman's death or a substantial and irreversible impairment of a major bodily function of the pregnant woman.

(b) A health maintenance organization that enters into a group contract or an individual contract described in subsection (a) may offer coverage for abortion through a rider or an endorsement.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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