

113TH CONGRESS  
1ST SESSION

# H. R. 346

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2013

Mr. NUNNELEE introduced the following bill; which was referred to the Committee on Energy and Commerce

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## 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 “Stop Abortion Funding  
5 in Multi-state Exchange Plans Act” or “SAFE 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 coverage of  
13 abortion.

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 health plans.”.

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