

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 607
Version: First engrossment

DATE: April 1, 2016

Authors: Theis and others

Subject: Prohibition on the use of state funds for abortions

Analyst: Elisabeth Klarqvist

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

This bill prohibits funding for state-sponsored health programs that are administered by the commissioner of human services from being used to fund abortions, except to the extent necessary for continued participation in a federal program.

Under federal law, known as the Hyde Amendment, federal Medicaid reimbursement for abortions is provided in situations where the woman has a physical condition that places her in danger of death unless an abortion is performed, or if the pregnancy was a result of incest or rape. In 1980, the United States Supreme Court held that states do not need to fund abortions that are not entitled to federal Medicaid reimbursement. In 1995, the Minnesota Supreme Court struck down a state law that prohibited medical assistance from covering abortions unless medically necessary to prevent the death of the mother or the pregnancy was a result of rape or incest, on the ground that the law violated a woman's right to privacy under the Minnesota Constitution.

Section

1 Prohibition on use of funds.

Subd. 1. Use of funds. Prohibits funding for state-sponsored health programs that are administered by the commissioner of human services from being used for funding abortions except to the extent necessary for continued participation in a federal program. (The health care programs administered by the commissioner of human services are medical assistance and MinnesotaCare.) Defines abortion.

Section

Subd. 2. Severability. Allows for severability of any one or more provisions of this section if any part is found to be unconstitutional.