

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 787
Version: As introduced

DATE: March 3, 2015

Authors: Pugh and others

Subject: Prohibition on the use of state funds for abortions

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Overview

This bill prohibits funding for state-sponsored health programs 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 limited to situations where the woman's life is at risk 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 held prohibiting medical assistance funds from being used for abortions broader than the situations in the Hyde Amendment 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 from being used for funding abortions except to the extent necessary for continued participation in a federal program.

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