

**AMENDMENT TO H.R. _____, AS
REPORTED
OFFERED BY MR. STUPAK OF MICHIGAN**

**(Amendment is to H.R. 3962, As Proposed to be Amended by
Mr. Dingell's Amendment)**

Page 97, strike line 13 and all that follows through page 98, line 7.

Page 110, strike lines 1 through 7.

Page 114, line 21, strike “consistent with subsection (e) of such section”.

Page 118, line 21, strike “(including subsection (e))”.

Page 154, after line 18, insert the following new section (and conform the table of contents of division A accordingly):

1 SEC. 265. LIMITATION ON ABORTION FUNDING.

2 (a) IN GENERAL.—No funds authorized or appro-
3 priated by this Act (or an amendment made by this Act)
4 may be used to pay for any abortion or to cover any part
5 of the costs of any health plan that includes coverage of
6 abortion, except in the case where a woman suffers from
7 a physical disorder, physical injury, or physical illness that

1 would, as certified by a physician, place the woman in dan-
2 ger of death unless an abortion is performed, including
3 a life-endangering physical condition caused by or arising
4 from the pregnancy itself, or unless the pregnancy is the
5 result of an act of rape or incest.

6 (b) OPTION TO PURCHASE SEPARATE SUPPLE-
7 MENTAL COVERAGE OR PLAN.—Nothing in this section
8 shall be construed as prohibiting any nonfederal entity (in-
9 cluding an individual or a State or local government) from
10 purchasing separate supplemental coverage for abortions
11 for which funding is prohibited under this section, or a
12 plan that includes such abortions, so long as—

13 (1) such coverage or plan is paid for entirely
14 using only funds not authorized or appropriated by
15 this Act; and

16 (2) such coverage or plan is not purchased
17 using nonfederal funds required to receive a federal
18 payment, including a State's or locality's contribu-
19 tion of Medicaid matching funds.

20 (c) OPTION TO OFFER SEPARATE SUPPLEMENTAL
21 COVERAGE OR PLAN.—Notwithstanding section 303(b),
22 nothing in this section shall restrict any nonfederal QHBP
23 offering entity from offering separate supplemental cov-
24 erage for abortions for which funding is prohibited under

1 this section, or a plan that includes such abortions, so long
2 as—

3 (1) premiums for such separate supplemental
4 coverage or plan are paid for entirely with funds not
5 authorized or appropriated by this Act;

6 (2) administrative costs and all services offered
7 through such supplemental coverage or plan are paid
8 for using only premiums collected for such coverage
9 or plan; and

10 (3) any nonfederal QHBP offering entity that
11 offers an Exchange-participating health benefits
12 plan that includes coverage for abortions for which
13 funding is prohibited under this section also offers
14 an Exchange-participating health benefits plan that
15 is identical in every respect except that it does not
16 cover abortions for which funding is prohibited
17 under this section.

Page 171, strike line 5 and all that follows through
page 172, line 8.

Page 182, line 22, strike “willingness or”.

Page 246, strike lines 11 through 14.

