AMENDMENT TO H.R. ________, AS
REPORTED

OFFERED BY MR. STUPAK OF MICHIGAN
AND MR. PITTS OF PENNSYLVANIA
(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 sec-
tion (and conform the table of contents of division A ac-
cordingly):

1 SEC. 265. LIMITATION ON ABORTION FUNDING.

2 (a) IN GENERAL.—No funds authorized or appro-
priated by this Act (or an amendment made by this Act)
may be used to pay for any abortion or to cover any part
of the costs of any health plan that includes coverage of
abortion, except in the case where a woman suffers from
a physical disorder, physical injury, or physical illness that
would, as certified by a physician, place the woman in dan-
ger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself, or unless the pregnancy is the result of an act of rape or incest.

(b) OPTION TO PURCHASE SEPARATE SUPPLEMENTAL COVERAGE OR PLAN.—Nothing in this section shall be construed as prohibiting any nonfederal entity (including an individual or a State or local government) from purchasing separate supplemental coverage for abortions for which funding is prohibited under this section, or a plan that includes such abortions, so long as—

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

(2) such coverage or plan is not purchased using—

(A) individual premium payments required for a Exchange-participating health benefits plan towards which an affordability credit is applied; or

(B) other nonfederal funds required to receive a federal payment, including a State’s or locality’s contribution of Medicaid matching funds.
(c) Option to Offer Separate Supplemental Coverage or Plan.—Notwithstanding section 303(b), nothing in this section shall restrict any nonfederal QHP offering entity from offering separate supplemental coverage for abortions for which funding is prohibited under this section, or a plan that includes such abortions, so long as—

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

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

(3) any nonfederal QHP offering entity that offers an Exchange-participating health benefits plan that includes coverage for abortions for which funding is prohibited under this section also offers an Exchange-participating health benefits plan that is identical in every respect except that it does not cover abortions for which funding is prohibited 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.