

## State Laws Concerning Abortion Coverage in Insurance Policies

May 6, 2014

State	Insurance plans sold through exchange	Plans sold outside Exchange	Insurance Plans for Public Employees
Alabama	Code of Ala. § 26-23C-3 (2012) Limitations: life of the mother, rape, incest.		
Arizona	ARIZ. REV. STAT. ANN. § 20-121 (2011) Limitations: life of the mother, substantial and irreversible health. WITH RIDER		A.R.S. § 35-196.02 (2012) Limitations: life of the mother, substantial and irreversible health
Arkansas	A.C.A. § 23-79-156 (2012) Limitations: life of the mother, rape or incest. WITH RIDER		
Colorado			Colo. Const. Art. V, Section 50 (2012)
Florida	FLA. STAT. § 627.64995 (2012) Limitations: life of the mother, rape, incest. WITH RIDER		

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Georgia	TO BE CODIFIED AS: O.C.G.A. § 33-24-59.17 (2014) LIMITATIONS: LIFE OF THE MOTHER		O.C.G.A. § 45-18-4 (2013) Limitations: life of the mother
Idaho	IDAHO CODE ANN. § 41-1848 Limitations: life of the mother, rape, incest.	Idaho Code §§ 41-2142, 2210A, 3439, 3924 (2012) Limitations: life of the mother. WITH RIDER	Idaho Code §§ 41-2142, 2210A, 3439, 3924 (2012) Limitations: life of the mother. WITH RIDER
Illinois			5 ILCS 375/6 (2013) Limitations: life of the mother. WITH RIDER
Indiana	Burns Ind. Code Ann. § 16-34-1-8, § 27-8-33-4, (2013) Limitations: life of the mother, substantial and irreversible health, rape, incest.	To be codified as: Burns Ind. Code Ann. §§ 27-8-13.4; 27-13-7-7.5 (2014) Limitations: life of the mother, substantial and irreversible health, rape, incest. WITH RIDER	
Kansas	K.S.A. § 40-2,190 (2011) Limitations: Life of the mother	K.S.A. § 40-2,190 (2011) Limitations: life of the mother. WITH RIDER	K.S.A. § 40-2,190 (2011) Limitations: life of the mother.
Kentucky	KRS § 304.5-160 (2012) Limitations: life of the mother. WITH RIDER	KRS § 304.5-160 (2012) Limitations: life of the mother. WITH RIDER	KRS § 18A.225 (10) (2012)
Louisiana	La. R.S. 22:1014 (2013) Limitations: None.		
Michigan	Initiative Legislative Act 1 (2013) Limitations: Life of the mother. WITH RIDER	Elective abortion coverage only provided by optional rider for certain plans	

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Mississippi	MISS. CODE ANN. §§ 41-41-95, 97, 99 (2011) Limitations: life of the mother, rape, incest.		Miss. Code Ann. § 41-41-91 (2012) Limitations: life, rape, incest, fetal impairment.
Missouri	§ 376.805 R.S.Mo. (2012) Limitations: life of the mother.	§ 376.805 R.S.Mo. (2012) Upheld <i>Coe v. Melahn</i> , 958 F.2d 223 (8th Cir. 1992). Limitations: life of the mother. WITH RIDER	§ 376.805 R.S.Mo. (2012) Limitations: life of the mother.
Nebraska	R.R.S. NEB. § 44-8401 TO §44-8404 (2011) Limitations: life of the mother.	Neb. Rev. Stat. § 44-1615.01 (Enacted 1981). Limitations: life of the mother. WITH RIDER	R.R.S. Neb. § 44-1615.01 (2012) Limitations: life of the mother. WITH RIDER
North Carolina	To be codified as: N.C. Gen. Stat. § 58-51-63 (2013) Limitations: life of the mother, rape, incest. Effective October 1, 2013.		N.C. Gen. Stat. § 143C-6-5.5 (2012) Limitations: life of the mother, rape, incest
North Dakota	N.D. Cent. Code, § 14-02.3-03 (2012) Limitations: life of the mother. WITH RIDER	N.D. Cent. Code, § 14-02.3-03 (2012) Limitations: life of the mother. WITH RIDER	N.D. Cent. Code, § 14-02.3-03 (2012) Limitations: life of the mother.
Ohio	ORC ANN. 3901.87 (2013) Limitations: life of the mother, rape, incest		ORC Ann. 9.04 (2013) Limitations: life of the mother—with rider
Oklahoma	63 Okl. St. § 1-741.3 (2012) Limitations: life of the mother. WITH RIDER	63 Okl. St. § 1-741.3 (2012) Limitations: life of the mother. WITH RIDER	63 Okl. St. § 1-741.3 (2012) Limitations: life of the mother. WITH RIDER

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Pennsylvania	2013 PA H.B. 818 Limitations: life of the mother, rape, incest. Effective as of August 16, 2013	18 Pa.C.S. § 3215 (e) (2012) <i>Company must offer policy which doesn't cover abortion.</i>	18 Pa.C.S. § 3215 (c), (d) (2012) Limitations: Life of mother, rape, incest.
Rhode Island		R.I. Gen. Laws § 27-18-28 (2012) Held unconstitutional in <i>National Educ. Ass'n v. Garrahy</i> , 779 F.2d 790 (1st Cir. 1985).	R.I. Gen. Laws § 36-12-2.1 (2012) Limitations: life of the mother, rape, incest.
South Carolina	S.C. Code Ann. § 38-71-238 (2012). Limitations: life of the mother, rape, incest.		H.B. 4657, 118th Gen. Assem., 2nd Reg. Sess. (S.C. 2010) (Enacted 2010) Limitations: life of the mother, rape, incest, substantial and irreversible impairment of major bodily function.
South Dakota	S.D. CODIFIED LAWS § 58-17-147 (2012) Limitations: life of the mother, substantial and irreversible health.		
Tennessee	TENN. CODE ANN. § 56-26-134 (2011) Limitations: none.		
Utah	UTAH CODE ANN. § 31A-22-726 (2012) Limitations: life of the mother, substantial and irreversible health, rape, incest, fetal defect.	UTAH CODE ANN. § 31A-22-726 (2012) Limitations: life of the mother, substantial and irreversible health, rape, incest, fetal defect.	UTAH CODE ANN. § 31A-22-726 (2012) Limitations: life of the mother, substantial and irreversible health, rape, incest, fetal defect.

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Virginia	2011 Va. Acts 823 Limitations: life of the mother, rape, incest.		Va. Dep't of Human Resource Mgmt., Mem. No. 96-9 (May 31, 1996); Va. Dep't of Human Resource Mgmt., COVA Care Member Handbook, (July 1, 2007) at <a href="http://www.dhrm.virginia.gov/hbenefits/hbhandbooks/COVAMemberHandBk2011.pdf">http://www.dhrm.virginia.gov/hbenefits/hbhandbooks/COVAMemberHandBk2011.pdf</a> . Limitations: life of the mother, rape, incest, fetal defect.
Wisconsin	Wis. Stat. Ann. § 632.8985 Limitations: life of the mother, rape, incest, grave, long-lasting physical health damage.		
<b>TOTALS</b>	<b>25</b>	<b>12</b>	<b>19</b>