

By: Senator(s) Fillingane, Watson, McDaniel

To: Medicaid; Appropriations

SENATE BILL NO. 2238
(As Sent to Governor)

1 AN ACT TO PROHIBIT THE DIVISION OF MEDICAID FROM AUTHORIZING
2 PAYMENT OF PART OR ALL OF THE COSTS OF CARE AND SERVICES RENDERED
3 BY ANY ENTITY THAT PERFORMS NONTHERAPEUTIC ABORTIONS, MAINTAINS OR
4 OPERATES A FACILITY WHERE NONTHERAPEUTIC ABORTIONS ARE PERFORMED,
5 OR IS AFFILIATED WITH SUCH AN ENTITY; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Notwithstanding any other provision of Section
8 43-13-117, the division shall not authorize payment of part or all
9 of the costs of care and services rendered by any entity that
10 performs nontherapeutic abortions, maintains or operates a
11 facility where nontherapeutic abortions are performed, or is
12 affiliated with such an entity. For purposes of this provision,
13 "nontherapeutic abortions" means abortions that are not qualified
14 for federal matching funds under the Medicaid program, 42 USC
15 Section 1396 et seq., and as amended hereafter, and "affiliated
16 with" means having a legal relationship with another entity
17 created or governed by one or more written instruments that
18 demonstrates common control, ownership, franchisee status or
19 management, or that grants a license or other authority to utilize



20 the other entity's brand name, trademark, service mark or other
21 registered identification mark.

22 **SECTION 2.** This act shall take effect and be in force from
23 and after July 1, 2016.

