

Senate Bill 438

By: Senators Crane of the 28th, Rogers of the 21st, Shafer of the 48th, Williams of the 19th, Ligon, Jr. of the 3rd and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia
2 Annotated, relating to the state employees' health insurance plan, so as to provide that no
3 health insurance plan for employees of the state shall offer coverage for abortion services;
4 to repeal conflicting laws, and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 1 of Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated,
8 relating to the state employees' health insurance plan, is amended by revising subsection (a)
9 of Code Section 45-18-2, relating to the board's authority to establish health insurance plan,
10 rules and regulations, provisions of plan generally, and coverage for retiring or retired
11 employees, as follows:

12 "(a) The board is authorized to establish a health insurance plan for employees of the state
13 and to adopt and promulgate rules and regulations for its administration, subject to the
14 limitations contained in this part. The health insurance plan may provide for group
15 hospitalization and surgical and medical insurance against the financial costs of
16 hospitalization, surgery, and medical treatment and care and may also include, among other
17 things, prescribed drugs, medicines, prosthetic appliances, hospital inpatient and outpatient
18 service benefits, dental benefits, vision care benefits, and medical expense indemnity
19 benefits, including major medical benefits. No health insurance plan shall offer coverage
20 for abortions as defined in Code Section 31-9A-2. This limitation shall not apply when a
21 physician terminates a pregnancy in a manner which, in the reasonable medical judgment
22 of the physician, provides the best opportunity for the unborn child to survive unless, in the
23 reasonable medical judgment of the physician, termination of the pregnancy in that manner
24 would pose a greater risk either of the death of the pregnant woman or of the substantial
25 and irreversible physical impairment of a major bodily function of the pregnant woman
26 than would another available method. No such greater risk shall be deemed to exist if it

27 is based on a diagnosis or claim of a mental or emotional condition of the pregnant woman
28 or that the pregnant woman will purposefully engage in conduct which she intends to result
29 in her death or in substantial and irreversible physical impairment of a major bodily
30 function."

31 **SECTION 2.**

32 All laws and parts of laws in conflict with this Act are repealed.