

House Bill 4059

Sponsored by Representatives POST, KOMP (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Health Authority to establish grant program for purpose of making grants to entities that provide services related to encouraging and assisting pregnant women in carrying their pregnancy to term. Creates Pregnant Women's Assistance Fund and continuously appropriates moneys in fund to authority for purpose of making grants. Specifies minimum biennial amount to be deposited in fund.

Specifies that authority may reimburse abortions as part of state's medical assistance program only if abortion is necessary to avoid impairment of pregnant woman's major bodily functions or if pregnancy is result of rape or incest.

Refers Act to people for their approval or rejection at next regular general election.

A BILL FOR AN ACT

1
2 Relating to funding services for women other than types of abortions on which federal moneys may
3 not be spent; and providing that this Act shall be referred to the people for their approval or
4 rejection.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. (1) The Oregon Health Authority shall establish a grant program for the**
7 **purpose of making grants from the Pregnant Women's Assistance Fund established under**
8 **section 2 of this 2016 Act to entities:**

9 (a) **That are qualified as specified in subsection (2) of this section; and**

10 (b)(A) **That inform pregnant or postpartum women about, refer pregnant or postpartum**
11 **women to or otherwise assist pregnant or postpartum women in receiving services from**
12 **agencies or organizations that provide services described in subsection (3) of this section;**
13 **or**

14 (B) **That directly provide services described in subsection (3) of this section.**

15 (2) **To be qualified to receive a grant under this section, an entity must:**

16 (a) **Be a private nonprofit organization.**

17 (b) **Demonstrate to the satisfaction of the authority that the entity:**

18 (A) **Provides for the proper supervision of activities conducted by the entity;**

19 (B) **Primarily will use grant moneys to encourage or assist pregnant women in carrying**
20 **their pregnancy to term; and**

21 (C) **Will not use grant moneys to encourage or assist pregnant women in having an**
22 **abortion unless the abortion is necessary to avoid impairment of a pregnant woman's major**
23 **bodily functions.**

24 (c) **Provide each pregnant woman who receives assistance from the entity with informa-**
25 **tion on:**

26 (A) **Fetal development, including a week by week description of fetal characteristics;**

27 (B) **Adequate medical care for pregnant women and newborns; and**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (C) Adequate nutrition for pregnant women and newborns.

2 (3) For purposes of subsection (1)(b) of this section, an entity may assist a pregnant or
3 postpartum woman in receiving services from an agency or organization that provides, or
4 an entity may directly provide, one or more of the following services:

5 (a) Medical care for pregnant or postpartum women or newborns;

6 (b) Nutritional support services for pregnant or postpartum women or newborns;

7 (c) Adoption services;

8 (d) Parenting education;

9 (e) Parenting support services;

10 (f) Assistance in acquiring housing; or

11 (g) Assistance in acquiring further education or finding employment.

12 (4) The authority may pay expenses incurred by the authority in administering this sec-
13 tion out of moneys that are available for the purpose of making grants under this section.

14 (5) The authority may adopt rules necessary to administer this section.

15 **SECTION 2.** (1) The Pregnant Women's Assistance Fund is established in the State
16 Treasury, separate and distinct from the General Fund. Interest earned by the Pregnant
17 Women's Assistance Fund shall be credited to the fund.

18 (2) Moneys in the fund are continuously appropriated to the Oregon Health Authority for
19 purposes described in section 1 of this 2016 Act.

20 (3) The authority may accept from any source any grant, donation or gift of moneys for
21 deposit in the fund.

22 **SECTION 3.** At a minimum, the following amounts of moneys shall be appropriated to the
23 Oregon Health Authority for deposit in the Pregnant Women's Assistance Fund established
24 under section 2 of this 2016 Act:

25 (1) For the biennium beginning July 1, 2017, the average amount of moneys per biennium
26 expended by the Oregon Health Authority on reimbursing abortions as part of the state's
27 medical assistance program during the biennia beginning July 1, 2003, July 1, 2005, July 1,
28 2007, July 1, 2009, July 1, 2011, and July 1, 2013; and

29 (2) For each biennium subsequent to the biennium beginning on July 1, 2017:

30 (a) The amount of moneys appropriated for the previous biennium; and

31 (b) An amount of moneys equal to any percentage increase in the cost-of-living, based
32 on the Portland-Salem, OR-WA, Consumer Price Index for All Urban Consumers for All
33 Items, that has occurred since the beginning of the preceding biennium multiplied by the
34 amount of moneys appropriated for the preceding biennium.

35 **SECTION 4.** (1) The Oregon Health Authority may reimburse abortions as part of the
36 state's medical assistance program only if the abortion is performed for one of the following
37 reasons:

38 (a) The abortion is necessary to avoid impairment of the pregnant woman's major bodily
39 functions; or

40 (b) The pregnancy is the result of rape or incest.

41 (2) The authority shall adopt rules as necessary for the authority to verify that re-
42 imbursement of abortions as part of the state's medical assistance program is in compliance
43 with this section.

44 **SECTION 5.** This 2016 Act shall be submitted to the people for their approval or rejection
45 at the next regular general election held throughout this state.

