

House Bill 2125

Sponsored by Representative POST (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 pregnancies to term. Establishes 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 2017 Act. Under the program, the authority shall make grants 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 agencies or organizations that**
11 **provide services described in subsection (3) of this section;**

12 (B) **That refer pregnant or postpartum women to agencies or organizations that provide**
13 **services described in subsection (3) of this section;**

14 (C) **That assist, in a manner not described in subparagraphs (A) and (B) of this para-**
15 **graph, pregnant or postpartum women in receiving services from agencies or organizations**
16 **that provide services described in subsection (3) of this section; or**

17 (D) **That directly provide services described in subsection (3) of this section.**

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

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

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

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

22 (B) **Primarily will use grant moneys to encourage or assist pregnant women in carrying**
23 **their pregnancies to term; and**

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

27 (c) **Provide each pregnant woman who receives assistance from the entity with informa-**

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 tion on:

2 (A) Fetal development, including a week-by-week description of fetal characteristics;

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

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

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

8 (a) Medical care for pregnant or postpartum women;

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

10 (c) Adoption services;

11 (d) Parenting education;

12 (e) Parenting support services;

13 (f) Assistance in acquiring housing; or

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

15 (4) The authority may pay expenses incurred by the authority in administering this sec-
16 tion out of moneys that are available to the authority for the purpose of making grants un-
17 der this section.

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

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

22 (2) Moneys in the fund are continuously appropriated to the Oregon Health Authority for
23 purposes described in section 1 of this 2017 Act.

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

26 **SECTION 3.** At a minimum, the following amounts of moneys shall be appropriated to the
27 Oregon Health Authority for deposit in the Pregnant Women’s Assistance Fund established
28 under section 2 of this 2017 Act:

29 (1) For the biennium beginning July 1, 2017, the average amount of moneys per biennium
30 expended by the Oregon Health Authority on reimbursing abortions as part of the state’s
31 medical assistance program during the biennia beginning July 1, 2003, July 1, 2005, July 1,
32 2007, July 1, 2009, July 1, 2011, July 1, 2013, and July 1, 2015; and

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

34 (a) The amount of moneys appropriated for the preceding biennium; and

35 (b) An amount of moneys equal to any percentage increase in the cost-of-living, based
36 on the Portland-Salem, OR-WA, Consumer Price Index for All Urban Consumers for All
37 Items published by the Bureau of Labor Statistics of the United States Department of Labor,
38 that has occurred since the beginning of the preceding biennium multiplied by the amount
39 of moneys appropriated for the preceding biennium.

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

43 (a) The abortion is necessary to avoid impairment of the pregnant woman’s major bodily
44 functions; or

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

1 **(2) The authority shall adopt rules necessary to verify that reimbursement of abortions**
2 **as part of the state's medical assistance program is in compliance with this section.**

3 **SECTION 5.** **This 2017 Act shall be submitted to the people for their approval or rejection**
4 **at the next regular general election held throughout this state.**

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