

By: Senator(s) Gandy, Watson, Smith, Hill,  
Collins

To: Judiciary, Division A

SENATE BILL NO. 2808

1 AN ACT TO AMEND SECTION 41-41-99, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT NO ABORTION COVERAGE MAY BE PROVIDED BY A  
3 QUALIFIED HEALTH PLAN OFFERED THROUGH ANY EXCHANGE ADMINISTERED BY  
4 THE FEDERAL GOVERNMENT OR ITS AGENCIES WITHIN THIS STATE PURSUANT  
5 TO THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT; TO  
6 CREATE A NEW SECTION TO PROVIDE THAT NO ABORTION COVERAGE MAY BE  
7 PROVIDED BY THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN,  
8 EXCEPT IN CERTAIN INSTANCES; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 41-41-99, Mississippi Code of 1972, is  
11 amended as follows:

12 41-41-99. **Opt-Out.** (1) No abortion coverage may be  
13 provided by a qualified health plan offered through an exchange  
14 created pursuant to the federal Patient Protection and Affordable  
15 Care Act within the State of Mississippi, or offered through any  
16 exchange administered by the federal government or its agencies  
17 within this state pursuant to the federal Patient Protection and  
18 Affordable Care Act.

19 (2) This limitation shall not apply to an abortion performed  
20 (a) when the life of the mother is endangered by a physical  
21 disorder, physical illness or physical injury, including a



22 life-endangering physical condition caused by or arising from the  
23 pregnancy itself, or (b) when the pregnancy is the result of an  
24 alleged act of rape or incest. The physician is required to  
25 maintain sufficient documentation in the medical record that  
26 supports the medical necessity for the abortion for one (1) of the  
27 reasons outlined in this subsection (2).

28 **SECTION 2.** (1) Except as provided in subsection (2) of  
29 this section, no coverage or reimbursement for an abortion may be  
30 provided by the State and School Employees Health Insurance Plan.

31 (2) This limitation shall not apply to an abortion performed  
32 (a) when the life of the mother is endangered by a physical  
33 disorder, physical illness or physical injury, including a  
34 life-endangering physical condition caused by or arising from the  
35 pregnancy itself, or (b) when the pregnancy is the result of an  
36 alleged act of rape or incest. The physician is required to  
37 maintain sufficient documentation in the medical record that  
38 supports the medical necessity for the abortion for one (1) of the  
39 reasons outlined in this subsection (2).

40 **SECTION 3.** This act shall take effect and be in force from  
41 and after its passage.

