

Senate File 2336

H-8489

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 25, by striking lines 31 and 32 and
5 inserting ~~<law, and consistent with options under~~
6 ~~federal law and regulations:>~~

7 2. Page 25, after line 34 by inserting:

8 <Sec. _____. 2011 Iowa Acts, chapter 129, section
9 122, subsection 1, unnumbered paragraph 1, is amended
10 to read as follows:

11 Iowans support reducing the number of abortions
12 performed in our state. Funds appropriated in this
13 section shall not be used for abortions. For the
14 purposes of this section, "abortion" does not include
15 any of the following:

16 a. The treatment of a woman for a physical
17 disorder, physical injury, or physical illness,
18 including a life-endangering physical condition caused
19 by or arising from the pregnancy itself, that would,
20 as certified by a physician, place the woman in danger
21 of death.

22 b. The treatment of a woman for a spontaneous
23 abortion, commonly known as a miscarriage, when not all
24 of the products of conception are expelled.

25 1A. For an abortion covered under the program,
26 except in the case of a medical emergency, as defined
27 in section 135L.1, for any woman, the physician shall
28 certify both of the following:>

29 3. Page 48 after line 39 by inserting:

30 <Sec. _____. 2011 Iowa Acts, chapter 129, section
31 146, subsection 1, paragraph a, subparagraph (1), is
32 amended to read as follows:

33 (1) Funds appropriated in this subsection shall
34 not be used for abortions ~~shall be used in a manner~~
35 ~~consistent with options under federal Medicaid law~~
36 ~~and regulation. For the purposes of this subsection,~~
37 "abortion" does not include any of the following:

38 (a) The treatment of a woman for a physical
39 disorder, physical injury, or physical illness,
40 including a life-endangering physical condition caused
41 by or arising from the pregnancy itself, that would,
42 as certified by a physician, place the woman in danger
43 of death.

44 (b) The treatment of a woman for a spontaneous
45 abortion, commonly known as a miscarriage, when not all
46 of the products of conception are expelled.>

47 4. Page 61 after line 11 by inserting:

48 <DIVISION _____

49 DISTRIBUTION OF FAMILY PLANNING FUNDS

50 Sec. _____. DISTRIBUTION OF FAMILY PLANNING FUNDS.

1 1. As used in this section, unless the context
2 otherwise requires:
3 a. "Department" means department as defined in
4 section 7E.4.
5 b. "Federally qualified health center" means a
6 health care provider that is eligible for federal
7 funding under 42 U.S.C. § 1396d(1)(2)(B).
8 2. Notwithstanding any other law to the contrary,
9 any expenditure, award, or other distribution of state
10 or federal family planning funds shall be made to
11 eligible applicants in the following order of priority:
12 a. Public entities that provide family planning
13 services including state, county, or local community
14 health clinics and federally qualified health centers.
15 b. Nonpublic entities that, in addition to family
16 planning services, provide required primary health
17 services as described in 42 U.S.C. § 254b(b)(1)(A).
18 c. Nonpublic entities that provide family planning
19 services but do not provide required primary health
20 services as described in 42 U.S.C. § 254b(b)(1)(A).
21 3. A department shall ensure distribution of
22 federal family planning funds in a manner that does not
23 severely limit or eliminate access to family planning
24 services in any region of the state.
25 4. A department shall not distribute state or
26 federal family planning funds under this section to
27 any entity that performs abortions or that maintains
28 or operates a facility where abortions are performed.
29 For the purposes of this section, "abortion" does not
30 include any of the following:
31 a. The treatment of a woman for a physical
32 disorder, physical injury, or physical illness,
33 including a life-endangering physical condition caused
34 by or arising from the pregnancy itself, that would,
35 as certified by a physician, place the woman in danger
36 of death.
37 b. The treatment of a woman for a spontaneous
38 abortion, commonly known as a miscarriage, when not all
39 of the products of conception are expelled.
40 5. State or federal family planning funds
41 distributed in accordance with this section shall not
42 be used for direct or indirect costs, including but not
43 limited to administrative costs or expenses, overhead,
44 employee salaries, rent, and telephone and other
45 utilities, related to providing abortions as specified
46 in subsection 4.
47 6. Any department that distributes state or federal
48 family planning funds shall submit a report to the
49 governor and the general assembly, annually by December
50 31, listing any entities receiving family planning

1 funds as described in subsection 2, paragraph "c", and
2 the amount and type of funds received by such entities
3 during the preceding calendar year. The report shall
4 provide a detailed explanation of how the department
5 determined that distribution of family planning funds
6 to such an entity, instead of to an entity described
7 in subsection 2 paragraph "a" or "b", was necessary to
8 prevent severe limitation or elimination of access to
9 family planning services in the region of the state in
10 which the entity is located.>

11 5. By renumbering as necessary.

SWEENEY of Hardin

ROGERS of Black Hawk

DE BOEF of Keokuk

PETTENGILL of Benton

TJEPKES of Webster

LOFGREN of Muscatine

BRANDENBURG of Pottawattamie

CHAMBERS of O'Brien

HUSEMAN of Cherokee

HAGENOW of Polk

GRASSLEY of Butler

DOLECHECK of Ringgold

FRY of Clarke

HANUSA of Pottawattamie

J. TAYLOR of Woodbury

VAN ENGELENHOVEN of Marion

KLEIN of Washington

WORTHAN of Buena Vista

BYRNES of Mitchell

SODERBERG of Plymouth

RAECKER of Polk

HAGER of Allamakee

MASSIE of Warren

RAYHONS of Hancock

BAUDLER of Adair

ALONS of Sioux

VANDER LINDEN of Mahaska

J. SMITH of Dickinson

HEIN of Jones

KOESTER of Polk

SCHULTZ of Crawford

DEYOE of Story

HELLAND of Polk

PEARSON of Polk

DRAKE of Cass

GARRETT of Warren

FORRISTALL of Pottawattamie

L. MILLER of Scott

RASMUSSEN of Buchanan

WATTS of Dallas

UPMEYER of Hancock

WINDSCHITL of Harrison

JORGENSEN of Woodbury

ANDERSON of Page

SHAW of Pocahontas

LUKAN of Dubuque