

# DRAFT

## SUMMARY

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  
3 which federal moneys may not be spent; and providing that this Act shall  
4 be referred to the people for their approval or 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**  
7 **program for the purpose of making grants from the Pregnant**  
8 **Women's Assistance Fund established under section 2 of this 2016 Act**  
9 **to entities:**

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

11 **and**

12 **(b)(A) That inform pregnant or postpartum women about, refer**  
13 **pregnant or postpartum women to or otherwise assist pregnant or**  
14 **postpartum women in receiving services from agencies or organiza-**

1 tions that provide services described in subsection (3) of this section;  
2 or

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

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

7 (a) Be a private nonprofit organization.

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

9 (A) Provides for the proper supervision of activities conducted by  
10 the entity;

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

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

16 (c) Provide each pregnant woman who receives assistance from the  
17 entity with information on:

18 (A) Fetal development, including a week by week description of  
19 fetal characteristics;

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

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

22 (3) For purposes of subsection (1)(b) of this section, an entity may  
23 assist a pregnant or postpartum woman in receiving services from an  
24 agency or organization that provides, or an entity may directly pro-  
25 vide, one or more of the following services:

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

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

29 (c) Adoption services;

30 (d) Parenting education;

31 (e) Parenting support services;

1 (f) Assistance in acquiring housing; or

2 (g) Assistance in acquiring further education or finding employ-  
3 ment.

4 (4) The authority may pay expenses incurred by the authority in  
5 administering this section out of moneys that are available for the  
6 purpose of making grants under this section.

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

9 SECTION 2. (1) The Pregnant Women's Assistance Fund is estab-  
10 lished in the State Treasury, separate and distinct from the General  
11 Fund. Interest earned by the Pregnant Women's Assistance Fund shall  
12 be credited to the fund.

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

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

17 SECTION 3. At a minimum, the following amounts of moneys shall  
18 be appropriated to the Oregon Health Authority for deposit in the  
19 Pregnant Women's Assistance Fund established under section 2 of this  
20 2016 Act:

21 (1) For the biennium beginning July 1, 2017, the average amount  
22 of moneys per biennium expended by the Oregon Health Authority on  
23 reimbursing abortions as part of the state's medical assistance pro-  
24 gram during the biennia beginning July 1, 2003, July 1, 2005, July 1,  
25 2007, July 1, 2009, July 1, 2011, and July 1, 2013; and

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

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

30 (b) An amount of moneys equal to any percentage increase in the  
31 cost-of-living, based on the Portland-Salem, OR-WA, Consumer Price

1 **Index for All Urban Consumers for All Items, that has occurred since**  
2 **the beginning of the preceding biennium multiplied by the amount of**  
3 **moneys appropriated for the preceding biennium.**

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

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

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

10 **(2) The authority shall adopt rules as necessary for the authority**  
11 **to verify that reimbursement of abortions as part of the state’s med-**  
12 **ical assistance program is in compliance with this section.**

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

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