

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2676

03/05/2012 Authored by Howes, Hosch, Fritz, Koenen, Anderson, B., and others
The bill was read for the first time and referred to the Committee on Health and Human Services Finance
03/15/2012 Adoption of Report: Pass and Read Second Time
03/27/2012 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate

1.1 A bill for an act
1.2 relating to health; modifying eligibility for grants; amending Minnesota Statutes
1.3 2010, section 145.4235, subdivision 2.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2010, section 145.4235, subdivision 2, is amended to
1.6 read:

1.7 Subd. 2. Eligibility for grants. (a) The commissioner shall award grants to eligible
1.8 applicants under paragraph (c) for the reasonable expenses of alternatives to abortion
1.9 programs to support, encourage, and assist women in carrying their pregnancies to term
1.10 and caring for their babies after birth by providing information on, referral to, and
1.11 assistance with securing necessary services that enable women to carry their pregnancies
1.12 to term and care for their babies after birth. Necessary services must include, but are
1.13 not limited to:

- 1.14 (1) medical care;
1.15 (2) nutritional services;
1.16 (3) housing assistance;
1.17 (4) adoption services;
1.18 (5) education and employment assistance, including services that support the
1.19 continuation and completion of high school;
1.20 (6) child care assistance; and
1.21 (7) parenting education and support services.

1.22 An applicant may not provide or assist a woman to obtain adoption services from a
1.23 provider of adoption services that is not licensed.

2.1 (b) In addition to providing information and referral under paragraph (a), an eligible
2.2 program may provide one or more of the necessary services under paragraph (a) that
2.3 assists women in carrying their pregnancies to term. To avoid duplication of efforts,
2.4 grantees may refer to other public or private programs, rather than provide the care
2.5 directly, if a woman meets eligibility criteria for the other programs.

2.6 (c) To be eligible for a grant, an agency or organization must:

2.7 (1) be a private, nonprofit organization;

2.8 (2) demonstrate that the program is conducted under appropriate supervision;

2.9 (3) not charge women for services provided under the program;

2.10 (4) provide each pregnant woman counseled with accurate information on the
2.11 developmental characteristics of babies and of unborn children, including offering the
2.12 printed information described in section 145.4243;

2.13 (5) ensure that its alternatives-to-abortion program's purpose is to assist and
2.14 encourage women in carrying their pregnancies to term and to maximize their potentials
2.15 thereafter;

2.16 (6) ensure that none of the money provided is used to encourage or affirmatively
2.17 counsel a woman to have an abortion not necessary to prevent her death, to provide her an
2.18 abortion, or to directly refer her to an abortion provider for an abortion. The agency or
2.19 organization may provide nondirective counseling; and

2.20 (7) have had the alternatives to abortion program in existence for at least one year
2.21 as of July 1, ~~2005~~ 2011; or incorporated an alternative to abortion program that has been
2.22 in existence for at least one year as of July 1, ~~2005~~ 2011.

2.23 (d) The provisions, words, phrases, and clauses of paragraph (c) are inseverable
2.24 from this subdivision, and if any provision, word, phrase, or clause of paragraph (c) or
2.25 its application to any person or circumstance is held invalid, the invalidity applies to all
2.26 of this subdivision.

2.27 (e) An organization that provides abortions, promotes abortions, or directly refers to
2.28 an abortion provider for an abortion is ineligible to receive a grant under this program. An
2.29 affiliate of an organization that provides abortions, promotes abortions, or directly refers
2.30 to an abortion provider for an abortion is ineligible to receive a grant under this section
2.31 unless the organizations are separately incorporated and independent from each other. To
2.32 be independent, the organizations may not share any of the following:

2.33 (1) the same or a similar name;

2.34 (2) medical facilities or nonmedical facilities, including but not limited to, business
2.35 offices, treatment rooms, consultation rooms, examination rooms, and waiting rooms;

2.36 (3) expenses;

3.1 (4) employee wages or salaries; or

3.2 (5) equipment or supplies, including but not limited to, computers, telephone
3.3 systems, telecommunications equipment, and office supplies.

3.4 (f) An organization that receives a grant under this section and that is affiliated
3.5 with an organization that provides abortion services must maintain financial records
3.6 that demonstrate strict compliance with this subdivision and that demonstrate that
3.7 its independent affiliate that provides abortion services receives no direct or indirect
3.8 economic or marketing benefit from the grant under this section.

3.9 (g) The commissioner shall approve any information provided by a grantee on the
3.10 health risks associated with abortions to ensure that the information is medically accurate.

3.11 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2012.