

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 1038\***

Short Title: No Abortions Under State Health Plan. (Public)

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Sponsors: Representatives Capps; Allred, Barnhart, Blust, Brubaker, Carpenter, Clary, Creech, Culp, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Grady, Gulley, Harrington, Hiatt, Hilton, Howard, Johnson, Justus, Kiser, McComas, McCombs, Morris, Rayfield, Setzer, Sexton, Shubert, Starnes, Thompson, Walend, Walker, West, and C. Wilson.

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Referred to: Health.

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April 10, 2001

A BILL TO BE ENTITLED

1 AN ACT TO PROHIBIT COVERAGE FOR ABORTIONS UNDER THE  
2 TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR  
3 MEDICAL PLAN.  
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 135-40.1(16) reads as rewritten:

7 "**§ 135-40.1. General definitions.**

8 As used in Parts 2 and 3 of this Article, the following terms have the meaning  
9 specified as follows:

10 ...

11 (16) Pregnancy. – Shall include resulting ~~childbirth, miscarriage or~~  
12 ~~abortion.~~ childbirth or miscarriage.

13 ...."

14 **SECTION 2.** G.S. 135-40.6(5)d. reads as rewritten:

15 "(5) Surgical Benefits. – The Plan pays the usual, customary and  
16 reasonable charges for covered surgical services as follows:

17 ...

18 "d. Maternity Care: Independent operative procedures in  
19 connection with pregnancy, such as: manipulative obstetrical  
20 delivery, delivery by Caesarean section, removal of ectopic  
21 pregnancy, dilation and curettage. Benefits for manipulative  
22 obstetrical delivery include use of forceps and/or episiotomy.  
23 No benefits are provided for antepartum or postpartum care,  
24 except for direct surgical procedures of delivery and surgical

1 treatment. No benefits are provided for medical or surgical  
2 abortion procedures.

3  
4 ...."

5 **SECTION 3.** G.S. 135-40.7 is amended by adding the following new  
6 subdivision to read:

7 "**§ 135-40.7. General limitations and exclusions.**

8 The following shall in no event be considered covered expenses nor will benefits  
9 described in G.S. 135-40.5 through G.S. 135-40.11 be payable for:

10 ...

11 "(24) Charges for medical or surgical abortion procedures."

12 **SECTION 4.** This act is effective when it becomes law.