

105TH CONGRESS  
1ST SESSION

# H. R. 137

To prohibit the Secretary of Health and Human Services from finding that a State Medicaid plan is not in compliance with title XIX of the Social Security Act solely on the grounds that the plan does not cover abortions for pregnancies resulting from an act of rape or incest if coverage for such abortions is inconsistent with State law.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. DICKEY introduced the following bill; which was referred to the  
Committee on Commerce

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## A BILL

To prohibit the Secretary of Health and Human Services from finding that a State Medicaid plan is not in compliance with title XIX of the Social Security Act solely on the grounds that the plan does not cover abortions for pregnancies resulting from an act of rape or incest if coverage for such abortions is inconsistent with State law.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITING FINDING OF NON-COMPLIANCE**  
2 **WITH MEDICAID REQUIREMENTS BASED ON**  
3 **FAILURE OF STATE PLAN TO COVER ABOR-**  
4 **TIONS FOR PREGNANCIES RESULTING FROM**  
5 **RAPE OR INCEST.**

6 (a) IN GENERAL.—Notwithstanding any provision of  
7 title XIX of the Social Security Act (including section  
8 1902(a)(10)(A) of such Act), the Secretary of Health and  
9 Human Services may not find that a State plan for medi-  
10 cal assistance under such title fails to meet the require-  
11 ments of such title for any quarter solely on the grounds  
12 that the State does not provide for coverage of an abortion  
13 under the State plan during the quarter for a pregnancy  
14 resulting from an act of rape or incest if coverage for such  
15 an abortion is inconsistent with State law.

16 (b) EFFECTIVE DATE.—Subsection (a) shall apply to  
17 quarters beginning on or after October 1, 1993.

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