

Side-by-Side Comparison of Abortion Funding Language

Hyde amendment, approved by Senate on Dec.13, 2009, in the Consolidated Appropriations Act (current law)	Abortion policy in Federal Employees Health Benefits Program (FEHBP), approved by Senate on Dec. 13, 2009, in the Consolidated Appropriations Act (current law)	Nelson/Hatch/Casey amendment, tabled by the Senate on Dec. 8, 2009 (proposed to Senate health care reform bill)
<p><i>None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.... None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.... The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.</i></p> <p>(H.R. 3288 as approved, Division D, sec. 508; emphasis added)</p> <p>(The Hyde amendment states further that it does not prevent use of state, local or private funds for abortions, as long as these are separate from the state matching funds that combine with federal funds to purchase a benefits package. In other words, not only federal funds, but other funds used to purchase the same package, may not pay for elective abortions.)</p>	<p><i>No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the federal employees health benefits program which provides any benefits or coverage for abortions.</i></p> <p>(H.R. 3288 as approved, Division C, sec. 613; emphasis added)</p> <p>(Thus federal employees, including members of Congress, may choose among over 200 health plans offered by private insurers -- but they may not purchase a health plan that includes coverage of elective abortion, because health plans in this program are also partly subsidized using federal funds.)</p>	<p><i>No funds authorized or appropriated by this Act (or an amendment made by this Act) may be used to pay for any abortion or to cover any part of the costs of any health plan that includes coverage of abortion.</i></p> <p>(Like the other two provisions compared here, this amendment has exceptions for abortions in cases of rape, incest or danger to the life of the mother. The rest of the amendment makes clear that (a) it does not prevent purchasers who do not receive federal subsidies from buying a health plan covering elective abortions, even on the Exchange created by the health care reform bill; and (b) it does not prevent purchasers receiving federal subsidies from buying separate supplemental abortion coverage with their own funds.)</p>