

Draft C of C Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 36 with the following:

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3 36 Reproductive Health Facilities; Family Planning Contracts.

4 I. The general court intends that the state transition to family planning contract recipients
5 that are financially and physically separated from reproductive health care facilities.

6 II. No state funds shall be awarded by the department of health and human services to a
7 reproductive health care facility, as defined in RSA 132:37, I, except the funding available from the
8 state pursuant to Title XIX of the Social Security Act to the minimum extent necessary to comply
9 with federal conditions for the state's participation in the Medicaid program. Except as otherwise
10 provided in this section, in order to ensure that public funds are not used to subsidize abortions
11 directly or indirectly, no funds, grants, or contracts shall be awarded for a family planning program,
12 including but not limited to funding under budget line 902010-5530, unless the state-funded family
13 planning program is physically and financially separate from a reproductive health facility as
14 defined in RSA 132:37, I and no family planning grantee shall enter into any contract with a
15 reproductive health facility.

16 III. All family planning contracts in effect on the effective date of this section shall remain in
17 place until the end of their stipulated contract end date.

18 IV. Any new family planning contract recipients shall receive \$10,000 to cover transition
19 costs and/or to serve as an incentive to compete for a family planning contract. The payment shall
20 be made within 60 days of contract award in a one-time lump sum payment. In addition to any
21 funds appropriated for this purpose in the operating budget, the sum of \$20,000 for the biennium
22 ending June 30, 2023 is hereby appropriated to the department of health and human services for
23 this purpose. The governor is authorized to draw a warrant for said sum from any money in the
24 treasury not otherwise appropriated.

25 V. In the event that there would otherwise be a gap in coverage in a particular area, as
26 defined by the current footprint of existing family planning providers, the state may grant a series of
27 one-year contract extensions, not to exceed a total of 3 extensions, until such time as there is a viable
28 family planning provider able to certify the financial and physical separation of the family planning
29 services and the provision of abortions at that site.

30 36-a. Effective Date. Section 36 of this act shall take effect October 1, 2021.