

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1369

Short Title: State Abortion Fund Eligibility Criteria.

(Public)

Sponsors: Representatives Insko; and Luebke.

Referred to: Appropriations.

April 24, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO ESTABLISH ELIGIBILITY CRITERIA FOR THE STATE ABORTION
3 FUND AND TO APPROPRIATE FUNDS TO THE STATE ABORTION FUND.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The Social Services Commission shall adopt rules governing
6 the eligibility of applicants to receive services under the State Abortion Fund.
7 Eligibility for services shall be limited to women whose income is below the federal
8 poverty level, as revised annually, or who are eligible for Medicaid, and to whom at
9 least one of the following applies:

10 (1) The woman is a victim of rape or incest.

11 (2) The woman is mentally retarded as defined under G.S. 122C-3.

12 (3) A physician, selected by the woman, has advised that the woman's
13 physical health would likely be impaired by the pregnancy.

14 (4) A physician, selected by the woman, has advised that the woman is
15 dangerous to herself or others as defined under G.S. 122C-3, or that
16 the woman has a severe and persistent mental illness as defined under
17 G.S. 122C-3, and that the woman's mental health would likely be
18 worsened by the pregnancy.

19 (5) A physician has determined that a severe fetal anomaly is present.

20 **SECTION 2.** Except as otherwise provided under Section 1 of this act,
21 eligibility rules adopted by the Commission may not be based on the applicant's race,
22 creed, color, national origin, marital status, age, or disabling condition.

23 **SECTION 3.** Services provided under this act shall be in accordance with
24 the provisions of G.S. 14-45.1 governing when abortion is lawful, and with Part 2 of
25 Article 1A of Chapter 90 of the General Statutes, Parental or Judicial Consent for
26 Abortion.

27 **SECTION 4.** There is appropriated from the General Fund to the
28 Department of Health and Human Services the sum of one million two hundred twelve

1 thousand dollars (\$1,212,000) for the 2001-2002 fiscal year and the sum of one million
2 two hundred twelve thousand dollars (\$1,212,000) for the 2002-2003 fiscal year for the
3 State Abortion Fund.

4 **SECTION 5.** This act becomes effective July 1, 2001.