

2.1 (b) In addition to providing information and referral under paragraph (a), an eligible
2.2 program may provide one or more of the necessary services under paragraph (a) that
2.3 assists women in carrying their pregnancies to term. To avoid duplication of efforts,
2.4 grantees may refer to other public or private programs, rather than provide the care
2.5 directly, if a woman meets eligibility criteria for the other programs.

2.6 (c) To be eligible for a grant, an agency or organization must:

2.7 (1) be a private, nonprofit organization;

2.8 (2) demonstrate that the program is conducted under appropriate supervision;

2.9 (3) not charge women for services provided under the program;

2.10 (4) provide each pregnant woman counseled with accurate information on the
2.11 developmental characteristics of babies and of unborn children, including offering the
2.12 printed information described in section 145.4243;

2.13 (5) ensure that its alternatives-to-abortion program's purpose is to assist and
2.14 encourage women in carrying their pregnancies to term and to maximize their potentials
2.15 thereafter;

2.16 (6) ensure that none of the money provided is used to encourage or affirmatively
2.17 counsel a woman to have an abortion not necessary to prevent her death, to provide her an
2.18 abortion, or to directly refer her to an abortion provider for an abortion. The agency or
2.19 organization may provide nondirective counseling; and

2.20 (7) have had the alternatives to abortion program in existence for at least one year
2.21 as of July 1, ~~2005~~ 2011; or incorporated an alternative to abortion program that has been
2.22 in existence for at least one year as of July 1, ~~2005~~ 2011.

2.23 (d) The provisions, words, phrases, and clauses of paragraph (c) are inseverable
2.24 from this subdivision, and if any provision, word, phrase, or clause of paragraph (c) or
2.25 its application to any person or circumstance is held invalid, the invalidity applies to all
2.26 of this subdivision.

2.27 (e) An organization that provides abortions, promotes abortions, or directly refers to
2.28 an abortion provider for an abortion is ineligible to receive a grant under this program. An
2.29 affiliate of an organization that provides abortions, promotes abortions, or directly refers
2.30 to an abortion provider for an abortion is ineligible to receive a grant under this section
2.31 unless the organizations are separately incorporated and independent from each other. To
2.32 be independent, the organizations may not share any of the following:

2.33 (1) the same or a similar name;

2.34 (2) medical facilities or nonmedical facilities, including but not limited to, business
2.35 offices, treatment rooms, consultation rooms, examination rooms, and waiting rooms;

2.36 (3) expenses;

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3.1 (4) employee wages or salaries; or

3.2 (5) equipment or supplies, including but not limited to, computers, telephone
3.3 systems, telecommunications equipment, and office supplies.

3.4 (f) An organization that receives a grant under this section and that is affiliated
3.5 with an organization that provides abortion services must maintain financial records
3.6 that demonstrate strict compliance with this subdivision and that demonstrate that
3.7 its independent affiliate that provides abortion services receives no direct or indirect
3.8 economic or marketing benefit from the grant under this section.

3.9 (g) The commissioner shall approve any information provided by a grantee on the
3.10 health risks associated with abortions to ensure that the information is medically accurate.

3.11 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2012.