

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 1462**

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DATE	D-PG	OFFICIAL STATUS
02/18/2019	439	Introduction and first reading Referred to Health and Human Services Finance and Policy

1.1 A bill for an act

1.2 relating to health care; modifying the eligibility requirements for positive abortion

1.3 alternatives grant program; appropriating money; amending Minnesota Statutes

1.4 2018, section 145.4235, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 145.4235, subdivision 2, is amended to read:

1.7 Subd. 2. **Eligibility for grants.** (a) The commissioner shall award grants to eligible

1.8 applicants under paragraph (c) for the reasonable expenses of alternatives to abortion

1.9 programs to support, encourage, and assist women in carrying their pregnancies to term and

1.10 caring for their babies after birth by providing information on, referral to, and assistance

1.11 with securing necessary services that enable women to carry their pregnancies to term and

1.12 care for their babies after birth. Necessary services must include, but are not limited to:

1.13 (1) medical care;

1.14 (2) nutritional services;

1.15 (3) housing assistance;

1.16 (4) adoption services;

1.17 (5) education and employment assistance, including services that support the continuation

1.18 and completion of high school;

1.19 (6) child care assistance; and

1.20 (7) parenting education and support services.

2.1 An applicant may not provide or assist a woman to obtain adoption services from a provider  
2.2 of adoption services that is not licensed.

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

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

2.9 (1) be a private, nonprofit organization;

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

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

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

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

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

2.21 (7) have had the alternatives to abortion program in existence ~~for at least one year as of~~  
2.22 ~~July 1, 2011; or incorporated an alternative to abortion program that has been in existenee~~  
2.23 ~~for at least one year as of July 1, 2011~~ for at least two years prior to the date the agency or  
2.24 organization submits an application to the commissioner for a grant under this section.

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

2.29 (e) An organization that provides abortions, promotes abortions, or directly refers to an  
2.30 abortion provider for an abortion is ineligible to receive a grant under this program. An  
2.31 affiliate of an organization that provides abortions, promotes abortions, or directly refers  
2.32 to an abortion provider for an abortion is ineligible to receive a grant under this section

3.1 unless the organizations are separately incorporated and independent from each other. To  
3.2 be independent, the organizations may not share any of the following:

3.3 (1) the same or a similar name;

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

3.6 (3) expenses;

3.7 (4) employee wages or salaries; or

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

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

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

3.17 **Sec. 2. APPROPRIATION; POSITIVE ABORTION ALTERNATIVES GRANTS.**

3.18 \$336,000 in fiscal year 2020 and \$336,000 in fiscal year 2021 are appropriated from the  
3.19 general fund to the commissioner of health for the positive abortion alternatives grants under  
3.20 Minnesota Statutes, section 145.4235.