

HB 1353 -- FAMILY PLANNING FUNDING

SPONSOR: Gatschenberger

This bill establishes the priority for the state with respect to any expenditures or grants of public funds for family planning services by the state to be health care facilities owned or operated by the state, non-public hospitals and federally qualified health centers, rural health clinics and finally non-public health providers that have as their primary purpose the provision of primary health care services as designated under federal law.

This bill creates a cause of action by a prosecuting attorney with appropriate jurisdiction or by the attorney general against any person who has intentionally violated these provisions.

Any entity eligible for the receipt of public funds has standing to bring any action that the prosecuting attorney or the attorney general has authority to bring under this act, if an expenditure or grant of public funds made in violation of these provisions has resulted in the reduction of public funds available to that entity. Any monies that are recouped from such action taken must revert to the fund from which the monies were appropriated or granted.

A prevailing plaintiff must be awarded reasonable attorney's fees. A prevailing respondent must be awarded reasonable attorney's fees if the court finds the suit was frivolous and brought in bad faith.