

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 1411 — Termination of Pregnancies

by Health and Human Services Committee; Health Care Appropriations Subcommittee; and Rep. Burton and others (CS/SB 1722 by Fiscal Policy Committee and Senator Stargel)

The bill amends various statutes relating to the termination of pregnancies:

- Defines the terms “gestation,” “first trimester,” “second trimester,” and “third trimester”;
- Prohibits the sale and donation of fetal remains from an abortion and increases penalties for the improper disposal of fetal remains from a second degree misdemeanor to a first degree misdemeanor;
- Restricts state agencies, local governmental entities, and Medicaid managed care plans from contracting with, or expending funds for the benefit of, an organization that owns, operates, or is affiliated with one or more clinics that perform abortions, with some exceptions;
- Requires the Agency for Health Care Administration (AHCA) to collect certain data from medical facilities in which abortions are performed and to submit data to the federal Centers for Disease Control and Prevention (CDC);
- Requires the AHCA to:
 - o Perform annual licensure inspections of abortion clinics;
 - o Inspect at least 50 percent of abortion clinic records during a license inspection; and
 - o Promptly investigate all credible allegations of unlicensed abortions being performed;
- Requires, in clinics that perform first trimester or second trimester abortions, that either:
 - o The clinic have a written patient transfer agreement with a hospital within reasonable proximity which includes the transfer of the patient’s medical records held by both the clinic and the treating physician; or
 - o All physicians who perform abortions in the clinic have admitting privileges at a hospital within reasonable proximity of the clinic;
- Requires the AHCA to submit an annual report to the Legislature beginning February 1, 2017, that summaries regulatory actions taken by the AHCA pursuant to its authority under ch. 390, F.S., in the prior year;
- Requires, effective January 1, 2017, abortion referral and counseling agencies to register with the AHCA and pay a registration fee, with some exceptions; and
- Prohibits a person from advertising or offering to purchase, sell, donate, or transfer, or purchasing, selling, donating, or transferring fetal remains obtained from an abortion.

If approved by the Governor, these provisions take effect July 1, 2016, except where otherwise provided.

Vote: Senate 25-15; House 76-40