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CHAMBER ACTION

Senate

House

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Floor: 1/WD/2R
4/29/2008 10:33 AM



1 Senators Bennett, Rich, King, Dockery, Deutch, Margolis, and
2 Joyner have moved the following amendment:

Senate Amendment (with title amendment)

Delete line(s) 43-114

and insert:

b. The probable gestational age of the fetus at the time
the termination of pregnancy is to be performed.

c. The medical risks to the woman and fetus of carrying the
pregnancy to term.

2. Printed materials prepared and provided by the
department have been provided to the pregnant woman, if she
chooses to view these materials, including:

a. A description of the fetus.

b. A list of agencies that offer alternatives to
terminating the pregnancy.



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18 c. Detailed information on the availability of medical
19 assistance benefits for prenatal care, childbirth, and neonatal
20 care.

21 3. The woman acknowledges in writing, before the
22 termination of pregnancy, that the information required to be
23 provided under this subsection has been provided.

24
25 Nothing in this paragraph is intended to prohibit a physician
26 from providing any additional information which the physician
27 deems material to the woman's informed decision to terminate her
28 pregnancy.

29 (b) In the event a medical emergency exists and a physician
30 cannot comply with the requirements for informed consent, a
31 physician may terminate a pregnancy if he or she has obtained at
32 least one corroborative medical opinion attesting to the medical
33 necessity for emergency medical procedures and to the fact that
34 to a reasonable degree of medical certainty the continuation of
35 the pregnancy would threaten the life of the pregnant woman. In
36 the event no second physician is available for a corroborating
37 opinion, the physician may proceed but shall document reasons for
38 the medical necessity in the patient's medical records.

39 (c) If an ultrasound is performed at any time before an
40 abortion is performed or the physician or health care
41 professional working in conjunction with the physician determines
42 that an ultrasound will be performed as part of the abortion
43 procedure, such physician or health care professional working in
44 conjunction with the physician shall offer the woman the
45 opportunity to view a live ultrasound image and, upon the request
46 of the woman, contemporaneously review and explain the live
47 ultrasound images.



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48 1. The ultrasound must be performed by the physician who is
49 to perform the abortion or by a health care professional under
50 such physician's supervision.

51 2. The woman has the right to decline to view the
52 ultrasound images after she is informed of her right and offered
53 the opportunity to view such ultrasound images.

54 3. The requirements in this paragraph must be performed at
55 no additional charge to the pregnant woman.

56
57 This paragraph does not apply if the woman is a victim of rape or
58 incest or if the woman has been diagnosed as having a condition
59 that, on the basis of the physician's good faith clinical
60 judgment, so threatens the health or life of the pregnant woman
61 as to necessitate the immediate termination of her pregnancy.

62 (d)(e) Violation of this subsection by a physician
63 constitutes grounds for disciplinary action under s. 458.331 or
64 s. 459.015. Substantial compliance or reasonable belief that
65 complying with the requirements of informed consent would
66 threaten the life or health of the patient is a defense to any
67 action brought under this paragraph.

68
69 ===== T I T L E A M E N D M E N T =====

70 And the title is amended as follows:

71 Delete line(s) 3-15

72 and insert:

73
74 requiring a physician or health care professional to offer
75 a pregnant woman the opportunity to view a live ultrasound
76 image and, upon request, review and explain the images
77 under certain circumstances; requiring that the ultrasound

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78 | be performed by the physician or health care professional
79 | who will perform the abortion; providing for the right to
80 | decline an opportunity to view the ultrasound images;
81 | requiring that the services be performed at no additional
82 | charge; providing an exception if the woman is a victim of
83 | rape or incest or has been diagnosed as having a condition
84 | that necessitates the immediate termination of the
85 | pregnancy; amending s.