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CHAMBER ACTION

Senate

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House

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Senators Bennett, Rich, King, Dockery, Deutch, Margolis, and Joyner moved the following **substitute for amendment (386098)**:

Senate Amendment (with title amendment)

Delete lines 72 through 341

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

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

23
24 Nothing in this paragraph is intended to prohibit a physician
25 from providing any additional information which the physician
26 deems material to the woman's informed decision to terminate her
27 pregnancy.

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

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



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

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

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

55 |
 56 | This paragraph does not apply if the woman is a victim of rape or
 57 | incest or if the woman has been diagnosed as having a condition
 58 | that, on the basis of the physician's good faith clinical
 59 | judgment, so threatens the health or life of the pregnant woman
 60 | as to necessitate the immediate termination of her pregnancy.

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

67 |
 68 | ===== T I T L E A M E N D M E N T =====

69 | And the title is amended as follows:

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 71 | Delete lines 3 through 35
 72 | and insert:
 73 | requiring a physician or health care professional to offer
 74 | a pregnant woman the opportunity to view a live ultrasound
 75 | image and, upon request, review and explain the images
 76 | under certain circumstances; requiring that the ultrasound



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