

By Senator Stargel

15-00508-16

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1 A bill to be entitled
2 An act relating to physician admitting privileges;
3 providing a short title; amending s. 390.011, F.S.;
4 defining the term "termination of pregnancy"; amending
5 s. 390.012, F.S.; requiring that a physician
6 performing an abortion have admitting privileges at a
7 hospital in this state or have a transfer agreement
8 with a hospital within reasonable proximity of the
9 abortion clinic; defining the term "reasonable
10 proximity"; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. This act may be cited as the "Women's Health
15 Protection Act."

16 Section 2. Subsection (1) of section 390.011, Florida
17 Statutes, is amended to read:

18 390.011 Definitions.—As used in this chapter, the term:

19 (1) "Abortion" or "termination of pregnancy" means the
20 termination of human pregnancy with an intention other than to
21 produce a live birth or to remove a dead fetus.

22 Section 3. Paragraph (c) of subsection (3) of section
23 390.012, Florida Statutes, is amended to read:

24 390.012 Powers of agency; rules; disposal of fetal
25 remains.—

26 (3) For clinics that perform or claim to perform abortions
27 after the first trimester of pregnancy, the agency shall adopt
28 rules pursuant to ss. 120.536(1) and 120.54 to implement the
29 provisions of this chapter, including the following:

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30 (c) Rules relating to abortion clinic personnel. At a
31 minimum, these rules must ~~shall~~ require that:

32 1. The abortion clinic designate a medical director who is
33 licensed to practice medicine in this state.

34 2. The medical director and any physician performing an
35 abortion have ~~and who has~~ admitting privileges at a ~~licensed~~
36 hospital in this state or have ~~has~~ a transfer agreement with a
37 ~~licensed~~ hospital within reasonable proximity of the clinic. As
38 used in this subparagraph, the term "within reasonable
39 proximity" means a location that may be reached by an emergency
40 vehicle in a transport time of 30 minutes or less.

41 ~~3.2.~~ If a physician is not present after an abortion is
42 performed, a registered nurse, licensed practical nurse,
43 advanced registered nurse practitioner, or physician assistant
44 shall be present and remain at the clinic to provide
45 postoperative monitoring and care until the patient is
46 discharged.

47 ~~4.3.~~ Surgical assistants receive training in counseling,
48 patient advocacy, and the specific responsibilities associated
49 with the services the surgical assistants provide.

50 ~~5.4.~~ Volunteers receive training in the specific
51 responsibilities associated with the services the volunteers
52 provide, including counseling and patient advocacy as provided
53 in the rules adopted by the director for different types of
54 volunteers based on their responsibilities.

55 Section 4. This act shall take effect July 1, 2016.
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