

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Harris offered the following:

**Amendment (with directory and title amendments)**

Between lines 234 and 235, insert:

(3) CONSENTS REQUIRED.—A termination of pregnancy may not be performed or induced except with the voluntary and informed written consent of the pregnant woman or, in the case of a mental incompetent, the voluntary and informed written consent of her court-appointed guardian.

(a) Except in the case of a medical emergency, consent to a termination of pregnancy is voluntary and informed only if:

1. The physician who is to perform the procedure, or the referring physician, has, at a minimum, orally, ~~while physically~~

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14 ~~present in the same room, and~~ at least 24 hours before the  
15 procedure, informed the woman of:

16 a. The nature and risks of undergoing or not undergoing  
17 the proposed procedure that a reasonable patient would consider  
18 material to making a knowing and willful decision of whether to  
19 terminate a pregnancy.

20 b. The probable gestational age of the fetus, verified by  
21 an ultrasound, at the time the termination of pregnancy is to be  
22 performed.

23 (I) The ultrasound must be performed by the physician who  
24 is to perform the abortion or by a person having documented  
25 evidence that he or she has completed a course in the operation  
26 of ultrasound equipment as prescribed by rule and who is working  
27 in conjunction with the physician.

28 (II) The person performing the ultrasound must offer the  
29 woman the opportunity to view the live ultrasound images and  
30 hear an explanation of them. If the woman accepts the  
31 opportunity to view the images and hear the explanation, a  
32 physician or a registered nurse, licensed practical nurse,  
33 advanced practice registered nurse, or physician assistant  
34 working in conjunction with the physician must contemporaneously  
35 review and explain the images to the woman before the woman  
36 gives informed consent to having an abortion procedure  
37 performed.

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38 (III) The woman has a right to decline to view and hear  
39 the explanation of the live ultrasound images after she is  
40 informed of her right and offered an opportunity to view the  
41 images and hear the explanation. If the woman declines, the  
42 woman shall complete a form acknowledging that she was offered  
43 an opportunity to view and hear the explanation of the images  
44 but that she declined that opportunity. The form must also  
45 indicate that the woman's decision was not based on any undue  
46 influence from any person to discourage her from viewing the  
47 images or hearing the explanation and that she declined of her  
48 own free will.

49 (IV) Unless requested by the woman, the person performing  
50 the ultrasound may not offer the opportunity to view the images  
51 and hear the explanation and the explanation may not be given  
52 if, at the time the woman schedules or arrives for her  
53 appointment to obtain an abortion, a copy of a restraining  
54 order, police report, medical record, or other court order or  
55 documentation is presented which provides evidence that the  
56 woman is obtaining the abortion because the woman is a victim of  
57 rape, incest, domestic violence, or human trafficking or that  
58 the woman has been diagnosed as having a condition that, on the  
59 basis of a physician's good faith clinical judgment, would  
60 create a serious risk of substantial and irreversible impairment  
61 of a major bodily function if the woman delayed terminating her  
62 pregnancy.

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

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66 The physician may provide the information required in this  
67 subparagraph within 24 hours before the procedure if requested  
68 by the woman at the time she schedules or arrives for her  
69 appointment to obtain an abortion and if she presents to the  
70 physician a copy of a restraining order, police report, medical  
71 record, or other court order or documentation evidencing that  
72 she is obtaining the abortion because she is a victim of rape,  
73 incest, domestic violence, or human trafficking.

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

77 a. A description of the fetus, including a description of  
78 the various stages of development.

79 b. A list of entities that offer alternatives to  
80 terminating the pregnancy.

81 c. Detailed information on the availability of medical  
82 assistance benefits for prenatal care, childbirth, and neonatal  
83 care.

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

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88 Nothing in this paragraph is intended to prohibit a physician  
89 from providing any additional information which the physician  
90 deems material to the woman's informed decision to terminate her  
91 pregnancy.

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94 **D I R E C T O R Y A M E N D M E N T**

95 Remove line 186 and insert:

96 Section 4. Subsections (1) and (2), paragraph (a) of  
97 subsection (3), and subsections (10) and (13) of section

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100 **T I T L E A M E N D M E N T**

101 Remove line 37 and insert:

102 any other courier or shipping service; removing a provision  
103 requiring information to be provided to a woman in person;  
104 conforming

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