

SS SCS SB 793 -- ABORTIONS

This bill specifies that, except in the case of a medical emergency, an abortion cannot be performed or induced without the voluntary, informed, and uncoerced consent of the woman at least 24 hours prior to the abortion. The physician performing or inducing the abortion must provide orally and in writing:

- (1) The physician's name;
- (2) Medically accurate information including a description of the proposed abortion method, the immediate and long-term medical risks, alternatives to the abortion, and follow-up care information;
- (3) The gestational age of the unborn child; and
- (4) The anatomical and physiological characteristics of the unborn child.

The physician performing or inducing the abortion or a qualified professional must:

- (1) Provide the pregnant woman with printed materials from the Department of Health and Senior Services that describe the probable anatomical and physiological characteristics of the unborn child including brain and heart functions, presence of extremities and internal organs; various methods of an abortion and the medical risks associated with each method; the possibility of the abortion causing pain to the unborn child; alternatives to the abortion; and that the father of the unborn child is liable to provide child support, even if he has offered to pay for the abortion. The materials must be available from the department by November 30, 2010, and must be legible, objective, unbiased, and scientifically and medically accurate. All information provided to the pregnant woman must be given to her in a private room to ensure privacy, confidentiality, and no fear of coercion. If needed, an interpreter will be provided. All information must be provided at least 24 hours before payment for an abortion can be accepted;

- (2) Provide the woman at least 24 hours prior to the abortion with a department-maintained geographically indexed list of health care providers, facilities, and clinics where she would have an opportunity to view an ultrasound and hear the heartbeat of the unborn child. The list is to indicate those that provide the services free of charge;

- (3) Explain that she is free to withhold or withdraw her consent to the abortion at any time without affecting her right to future

care or treatment and without the loss of any state or federally funded benefits to which she might otherwise be entitled; and

(4) Prominently display statements encouraging a pregnant woman seeking an abortion to contact agencies that help women carry an unborn child to full term.

The woman must certify in writing on a checklist form provided by the department that she has received all of the required materials; had an opportunity to view an active ultrasound image of the unborn child and hear the heartbeat; and given her voluntary and informed consent, freely and without coercion, to the abortion procedure. No abortion will be performed or induced on an unborn child of 22 weeks gestational age or older unless the mother is given the opportunity to have a pain-alleviating drug administered to the child. If a physician has reason to believe that a woman is being coerced into having an abortion, the physician or qualified professional must inform her that services are available to her and provide her with private access to a telephone and information about the services. The physician must retain a copy of the form in the patient's medical record.

In the event of a medical emergency that results in an abortion, the physician must clearly certify in writing the nature and circumstances of the emergency; and the certification must be kept in the abortion-performing facility's permanent file for seven years.

The department must maintain a toll-free, 24-hour hotline telephone number for a caller to obtain regional information about abortions, risks, and alternatives to an abortion and make the information available on the department's web site.

Only a licensed physician can perform or induce an abortion. Anyone violating this provision will be guilty of a class B felony.

A health insurance exchange established in Missouri or any exchange administered by the federal government or its agencies is prohibited from offering health insurance contracts, plans, or policies that provide coverage for elective abortions; and no health insurance exchange operating within this state can offer coverage for elective abortions through the purchase of an optional rider.