

HB 147 -- FINAL DISPOSITION OF ABORTED FETAL REMAINS

SPONSOR: Hurst

This bill changes the law regarding the final disposition of an aborted fetus. The bill requires a physician performing an abortion, or a qualified professional, to first present to the woman printed materials that are developed by the Department of Health and Senior Services and explain that she has the right to determine the final disposition of the remains of the aborted fetus, which options are available for such disposition, and provide information regarding any counseling available to a woman after an abortion. The bill gives a pregnant woman who has an abortion the right to determine the final disposition of the aborted fetus. Once the woman has received the information developed by the department and before the aborted fetus may be discharged from the abortion facility, the woman must inform the abortion facility in writing, on a form developed by the department, of the woman's decision for final disposition of the aborted fetus. If the pregnant woman is a minor, the abortion facility must obtain parental consent regarding the disposition of the aborted fetus unless the minor has received a waiver of parental consent using the judicial bypass procedure under Section 188.028, RSMo.

The abortion facility must document the woman's decision concerning the disposition of the aborted fetus in the woman's medical record. If the woman chooses a means for final disposition that is not legally required of an abortion facility then the woman is responsible for the costs related to the final disposition of the aborted fetus. The provisions of Section 193.165 regarding spontaneous fetal death reports and certificates of birth resulting in stillbirth shall apply to the final disposition of an aborted fetus with a gestational age of 20 weeks or more. A pregnant woman may decide to cremate or inter an aborted fetus with a gestational age under 20 weeks and the local health department must issue a permit for the disposition of the aborted fetus to the person in charge of internment of the aborted fetus.

This bill is the same as HB 2728 (2016).