



Physicians Performing Certain Abortions Report

Sunset Overview

Purpose

Among other provisions, [HB 297, Victim Services Amendments \(2023\)](#), established the reporting requirement in UCA [76-7-313\(6\)](#) that is under consideration for sunset. The provision requires the Department of Health and Human Services to receive, compile, and produce a report on certain information regarding abortions resulting from rape or incest, and to report annually to the Health and Human Services Interim Committee.

The Health and Human Services Interim Committee has received the following reports related to this requirement:

- [2023](#)
- [2024](#)
- [2025](#)

The next report is due on November 30, 2026.

Current Committee/Program Funding*

FY 26 Funding Appropriated/Available under the purview of the program	FY 27 Funding Appropriated/Available under the purview of the program
N/A	N/A

**Committee/Program Funding information provided by the Department of Health and Human Services. The Department of Health and Human Services does not receive dedicated funding for this reporting requirement, and any costs associated with producing the report are absorbed by the department..*

Current Sunset Date

July 1, 2027 (Utah Code Section [63I-1-276](#))

Sections of Code that Sunset

- [76-7-313\(6\)](#)

76-7-313. Department's enforcement responsibility -- Physician's report to department -- Reporting.

(1) In order for the department to maintain necessary statistical information and ensure enforcement of the provisions of this part:

- (a) any physician performing an abortion must obtain and record in writing:
 - (i) the age, marital status, and county of residence of the woman on whom the abortion was performed;
 - (ii) the number of previous abortions performed on the woman described in Subsection (1)(a)(i);
 - (iii) the hospital or other facility where the abortion was performed;
 - (iv) the weight in grams of the unborn child aborted, if it is possible to ascertain;
 - (v) the pathological description of the unborn child;



- (vi) the given gestational age of the unborn child;
 - (vii) the date the abortion was performed;
 - (viii) the measurements of the unborn child, if possible to ascertain;
 - (ix) if applicable, the information obtained under Subsection 76-7-302(5) or 76-7a-201(7); and
 - (x) the medical procedure used to abort the unborn child; and
- (b) the department shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (2) Each physician who performs an abortion shall provide the following to the department within 30 days after the day on which the abortion is performed:
- (a) the information described in Subsection (1);
 - (b) a copy of the pathologist's report described in Section 76-7-309;
 - (c) an affidavit:
 - (i) indicating whether the required consent was obtained pursuant to Sections 76-7-305 and 76-7-305.5;
 - (ii) described in Subsection (3), if applicable; and
 - (iii) indicating whether at the time the physician performed the abortion, the physician had any knowledge that the pregnant woman sought the abortion solely because the unborn child had or may have had Down syndrome; and
 - (d) a certificate indicating:
 - (i) whether the unborn child was older or younger than 18 weeks gestational age at the time of the abortion; and
 - (ii) the reason for the abortion.
- (3) If the information module or the address to the website is not provided to a pregnant woman, the physician who performs the abortion on the woman shall, within 10 days after the day on which the abortion is performed, provide to the department an affidavit that:
- (a) specifies the information that was not provided to the woman; and
 - (b) states the reason that the information was not provided to the woman.
- (4) All information supplied to the department shall be confidential and privileged pursuant to Section 26B-1-229.
- (5) The department shall pursue all administrative and legal remedies when the department determines that a physician or a facility has not complied with the provisions of this part.
- ~~(6) —~~
- ~~(a) The department shall receive, compile, and create a report outlining the data provided under Subsection (1)(a)(ix).~~
 - ~~(b) Annually on or before November 30, the department shall provide the report described in Subsection (6)(a) to the Health and Human Services Interim Committee.~~