1st Sub. H.B. 85 ABORTION BY A MINOR - PARENTAL NOTIFICATION AND CONSENT

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

JANUARY 26, 2006

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Representative **Kerry W. Gibson** proposes the following amendments:

- 1. Page 2, Lines 37 through 44:
 - 37 requires that at least 24 hours before a physician performs an abortion on a minor,
 - 38 the physician shall notify a parent or guardian of the minor that the minor intends to
 - 39 have an abortion, unless:
 - 40 a medical emergency exists;
 - 41 the physician reports that the parent or guardian abused the {-woman} minor or caused the {woman's} **minor's** pregnancy by
 - 42 engaging in incest with the { woman } minor; or
 - 43 the parent or guardian has not assumed responsibility for the minor's care and
 - 44 upbringing;
- Page 4, Line 118 through Page 5, Line 134:
 - 118 (4) A physician is not required to comply with Subsection (3) if:
 - 119 (a) subject to Subsection (5)(a):
 - 120 (i) a medical condition exists that, on the basis of the physician's good faith clinical
 - 121 judgment, so complicates the medical condition of a pregnant minor as to necessitate the
 - 122 abortion of her pregnancy to avert:
 - 123 (A) the minor's death; or
 - 124 (B) a serious risk of substantial and irreversible impairment of a major bodily function
 - 125 of the minor; and
 - 126 (ii) there is not sufficient time to give the notice required under Subsection (3) before it
 - 127 is necessary to terminate the minor's pregnancy in order to avert the minor's death or
 - 128 impairment described in Subsection (4)(a)(i);
 - 129 (b) subject to Subsection (5)(b):
 - 130 (i) the physician complies with Subsection (6); and
 - (ii) (A) the minor is pregnant as a result of incest to which the parent or guardian was a
 - 131 party; or
 - 132 {-(ii)-} (B) the parent or guardian has abused the minor; or
 - 133 (c) subject to Subsection (5)(b), the parent or guardian has not assumed responsibility
 - 134 for the minor's care and upbringing.

Page 5, Line 142: 3.

from notification under Subsection (4)(b) or (c).

(6) If, for a reason described in Subsection (4)(b)(ii)(A) or (B), a physician does not notify a parent or guardian of a minor that the minor intends to have an abortion, the physician shall report the incest or abuse to the Division of Child and Family Services within the Department of Human Services.