H.B. 222
UNBORN CHILD PAIN PREVENTION ACT

HOUSE FLOOR AMENDMENTS   AMENDMENT 1   JANUARY 26, 2006   8:30 AM

Representative **Carol Spackman Moss** proposes the following amendments:

1. *Page 1, Line 23 through Page 2, Line 28:*

23   { → requires the Department of Health to produce a brochure that:

24   • subject to certain exceptions, is to be provided to a woman seeking an abortion

25   of an unborn child who is at least 20 weeks gestational age; and

26   • includes information, from both sides of the issue, relating to the ability of an

27   unborn child to experience pain during an abortion procedure and the methods

28   of alleviating or eliminating that pain; }

2. *Page 8, Line 225 through Page 9, Line 253:*

{ 225   (2) (a) The printed material described in Subsection (1) shall include a separate

226   brochure that contains truthful, nonmisleading information on both sides of the issue regarding:

227   (i) the ability of an unborn child to experience pain during an abortion procedure;

228   (ii) the measures that may be taken, including the administration of an anesthetic or

229   analgesic to an unborn child, to alleviate or eliminate pain to an unborn child during an

230   abortion procedure;

231   (iii) the effectiveness and advisability of taking the measures described in Subsection

232   (2)(a)(ii); and

233   (iv) potential medical risks associated with the administration of an anesthetic or

234   analgesic to an unborn child during an abortion procedure.

235   (b) A person or facility is not required to provide the information described in

236   Subsection (2)(a) to a patient or potential patient, unless the abortion is to be performed:

237   (i) on an unborn child who is at least 20 weeks gestational age at the time of the

238   abortion; and

239   (ii) for a reason other than a reason described in Subsection 76-7-302(2)(a) or (d). }

240   {┼} **(2)** {┼}   {(3)}   (a) The materials described in {┼} **Subsection** {┼} {Subsections} (1) {and (2)} shall be

241   produced and printed in a way that conveys the state's preference for childbirth over abortion.

242   (b) The printed material described in Subsection (1) shall be printed in a typeface large

243   enough to be clearly legible.

244   {┼} **(3) Every** {┼}   {(4) Except as provided in Subsection (2)(b), every} facility in which

245   abortions are performed shall immediately provide the printed informed consent materials and

246   a viewing of or a copy of the informational video described in {┼} **Subsection** {┼} {Subsections }

(1)　{ ~~and~~

247　~~(2)~~}　to any patient or potential patient prior to the performance of an abortion, unless the

248　patient's attending or referring physician certifies in writing that he reasonably believes that

249　provision of the materials or video to that patient would result in a severely adverse effect on

250　her physical or mental health.

251　{ **+** }　**(4)**　{ **+** }　{ ~~(5)~~ }　The Department of Health shall produce a standardized videotape that may be

252　used statewide, containing all of the information described in Subsection (1), in accordance

253　with the requirements of [~~that subsection and Subsection (2)~~] Subsections (1) and　{ ~~(3)~~ }　**(2)**　. In

3.　*Page 9, Lines 262 through 263:*

262　{ **+** }　**(5)**　{ **+** }　{ ~~(6)~~ }　The Department of Health and local health departments shall provide

263　ultrasounds in accordance with the provisions of Subsection 76-7-305[~~(1)~~](2)(b), at no expense

4.　*Page 9, Lines 265 through 268:*

265　{ **+** }　**(6)**　{ **+** }　{ ~~(7)~~ }　The Department of Health shall compile and report the following information

266　annually, preserving physician and patient anonymity:

267　(a)　the total amount of informed consent material described in　{ **+** }　**Subsection**　{ **+** }

268　{ ~~Subsections~~ }　(1)　{ ~~and (2)~~ }　that was distributed;

5.　*Page 9, Line 272 through Page 10, Line 276:*

272　regarding adverse effects on the patient under Subsection　{ **+** }　**(3)**　{ **+** }　{ ~~(4)~~ }　; and

273　(d)　any other information pertaining to protecting the informed consent of women

274　seeking abortions.

275　{ **+** }　**(7)**　{ **+** }　{ ~~(8)~~ }　The Department of Health shall annually report to the Health and Human

276　Services Interim Committee regarding the information described in Subsection　{ **+** }　**(6)**　{ **+** }　{ ~~(7)~~ }　, and