

MAINE STATE LEGISLATURE

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New Draft of: H. P. 987, L. D. 1198

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1831

H. P. 1628

House of Representatives, June 1, 1977

Reported by Mr. Spencer from Committee on Judiciary and printed under
Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT Relating to Reporting of Data of Abortions Performed by an
Attending Physician.**

Be it enacted by the People of the State of Maine, as follows:

22 MRSA § 1577 is enacted to read:

§ 1577. Abortion data

1. Definitions. As used in this section, unless the context otherwise indicates, the following words shall have the following meanings.

A. "Abortion" means the intentional interruption of a pregnancy by the application of external agents, whether chemical or physical, or the ingestion of chemical agents.

B. "Miscarriage" means an interruption of a pregnancy other than as provided in paragraph A.

2. Reports. A report of each abortion performed and a report of each miscarriage which occurs when a physician is in attendance shall be made to the Department of Human Services on forms prescribed by the department. Such report forms shall not identify the patient by name or otherwise and shall contain only the following information:

A. Weight in grams of the fetus aborted, to the extent practical;

B. Measurement in centimeters of the fetus aborted, crown to rump, sitting height, to the extent practical;

- C. When an abortion is performed, the medical procedure used to abort;
- D. Given menstrual age of fetus; and
- E. Any resulting medical complications.

The form containing such information and data shall be prepared by the attending physician, signed by him and transmitted to the department not later than 10 days following the end of the month in which the abortion is performed or the miscarriage occurs.

The identity of any physician reporting pursuant to this section is confidential and the department shall take such steps as are necessary to insure the confidentiality of the identity of physicians reporting pursuant to this section.

A physician who reports data on an abortion pursuant to this section shall be immune from any criminal liability for that abortion under Title 17, section 51.

STATEMENT OF FACT

The purpose of this new draft is to require that a report of each abortion performed be made to the Department of Human Services. The report will not identify the patient by name but will give certain statistics concerning the aborted fetus. This new draft also includes a definition of "abortion" to assist in the accurate application of the reporting provisions.

The new draft includes miscarriages within the coverage of the bill, adds provisions on confidentiality for physicians and on criminal immunity and clarifies the wording of the bill.