

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-561)

HOUSE AMENDMENT"^C" to COMMITTEE AMENDMENT"A" to S.P. 220,
L.D. 604, Bill, "AN ACT to Insure Parental Participation in a
Minor's Decision to have an Abortion."

Amend the amendment in that part designated "§1597."
by striking out all of paragraphs C and D of subsection 2.

Further amend the amendment in that part designated
"§1597." by striking out all of subsection 4 and inserting in
its place the following:

'4. Exception. If, after professional consultation with
the minor and in the professional medical judgment of the
physician, there is the serious probability that the notification
would result in physical abuse to the minor, then notice under
subsection 2 shall not be required; or if, in the best clinical
judgment of an attending physician, the life or health of the
minor will be endangered if the abortion is not performed
immediately, the notice requirements of subsection 2 shall not
apply.

If a physician does not give notice under subsection 2, he
shall notify the Department of Human Services in writing of the
exception to notification when he next files a report required
by section 1596. The notice shall be confidential and not open
to public inspection. This notice shall contain a statement

of the number of abortions performed on unemancipated minors when the person performing the abortion was unable to give notice as required by subsection 2.'

Statement of Fact

The variability and complexity of individual situations preclude an absolute rule of parental notification. In some rare instances, the potential for physical abuse is known to the minor patient and the physician.

The amendment also provides statistical information to the department for future use.