

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S. P. 484, L.D. 1482, Bill,  
"AN ACT to Insure that Informed Consent is Obtained before an  
Elective Abortion is Performed."

Amend the Bill by striking out everything after the  
amending clause and inserting in its place the following:

'§1597. Informed consent to abortion

1. Consent by the woman. No physician shall perform an  
abortion unless, prior to the performance, the attending  
physician certifies in writing that the woman gave her  
informed written consent, freely and without coercion. He  
shall also certify that, not less than 48 hours prior to her  
consent, he informed the woman of the information contained  
in subsection 2. He shall further certify in writing the  
pregnant woman's age based upon proof of age offered by her.

2. Informed consent. In order to insure that the consent  
for an abortion is truly informed consent, the attending  
physician shall inform the woman in a manner which, in his  
professional judgment, is not misleading and which will be  
understood by the patient, of at least the following:

A. According to his best judgment she is pregnant:

B. The number of weeks elapsed from the probable time  
of the conception;

C. The particular risks associated with her own pregnancy  
and the abortion technique to be performed; and

D. Alternatives to abortion such as childbirth and adoption and information concerning public and private agencies that will provide the woman with economic and other assistance to carry the fetus to term, including, if the woman so requests, a list of these agencies and the services available from each.

3. Exception. The 48-hour period required in subsection 1 shall not be required if an abortion is immediately necessary to preserve the life or health of the pregnant women.'

Statement of Fact

This amendment removes some items in the bill, including specific items which the physician was required to include in his request to his patient. The amendment retains those elements of the bill that will insure that a woman's consent to an abortion is truly informed. The amendment also clarifies the language of the bill.

Reported by Eight Members of the Committee on Judiciary in Report "A".

Reproduced and distributed pursuant to Senate Rule 11-A.

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