

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1441

S.P. 478

In Senate, May 6, 1987

Submitted by the Department of Human Services pursuant to Joint Rule 24.

Reference to the Committee on Human Resources suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator CAHILL of Sagadahoc.

Cosponsored by Representative TAYLOR of Camden, Representative ANTHONY of South Portland, Representative MAHANY of Easton.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Clarify Reporting of Induced and Spontaneous Abortions.

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

Sec. 1. 22 MRSA §1596, sub-§1, as amended by PL 1979, c. 363, §§1 and 2, is further amended to read:

1. Definitions. As used in this section, unless the context otherwise indicates, the following words ~~shall~~ terms 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 with an intention other than to produce a live birth or to remove a

1 dead fetus, regardless of the length of
2 gestation.

3 ~~B. "Miscarriage" means an interruption of a~~
4 ~~pregnancy other than as provided in paragraph A~~
5 ~~of a fetus of less than 20 weeks gestation.~~

6 **Sec. 2. 22 MRSA §1596, sub-§2, as repealed and**
7 **replaced by PL 1979, c. 363, §3, is amended to read:**

8 **2. Reports.** A report of each abortion performed
9 ~~and a report of each miscarriage which occurs when a~~
10 ~~physician is in attendance~~ shall be made to the De-
11 partment of Human Services on forms prescribed by the
12 department. These report forms shall not identify the
13 patient by name or otherwise and shall contain only
14 the information requested on the United States Stan-
15 dard Report of Induced Termination of Pregnancy, pub-
16 lished by the National Center for Health Statistics,
17 dated January 1978, or any more recent revision.

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

23 **Sec. 3. 22 MRSA §2841, first ¶, as repealed and**
24 **replaced by PL 1979, c. 363, §5, is amended to read:**

25 Except as authorized by the department ~~or as re-~~
26 ~~quired under section 1596,~~ a certificate of each
27 death of a fetus of 20 or more weeks, regardless of
28 the length of gestation, which occurs in this State
29 shall be filed with the clerk of the municipality
30 where the delivery occurred occurred within 3 5 days
31 after delivery and prior to removal of the fetus from
32 the State.

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STATEMENT OF FACT

2 Currently, the Maine Revised Statutes, Title 22,
3 section 1596, requires all induced abortions and all
4 spontaneous abortions of under 20 weeks' gestation to
5 be reported using the United States Standard Report
6 of Induced Termination of Pregnancy, 1978 revision.
7 However, the United States Standard Report does not
8 include information which would enable us to monitor
9 the early spontaneous abortions or miscarriages, un-
10 der 20 weeks' gestation, which constitute critical
11 indicators of parental occupational or environmental
12 hazards to the reproductive system.

13 This bill limits Title 22, section 1596, to apply
14 only to induced abortions, regardless of gestation.
15 All spontaneous abortions or miscarriages would be
16 reported as fetal deaths pursuant to Title 22, sec-
17 tion 2841, which would be modified to include sponta-
18 neous fetal deaths of any gestation. Finally, this
19 bill amends Title 22, section 1596, to require in-
20 duced abortion reports in this State to conform to
21 whatever United States Standard Report is current.

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