

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1374

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S.P. 500

In Senate, April 26, 1989

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

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator CAHILL of Sagadahoc.

Cosponsored by Senator GAUVREAU of Androscoggin and Representative PINES of Limestone.

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STATE OF MAINE

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

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An Act to Clarify Reporting Requirements for Induced and Spontaneous Abortions.

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

3 **Sec. 1. 22 MRSA §1596**, as amended by PL 1979, c. 363, §§1 to  
4, is repealed and the following enacted in its place:

5 **§1596. Abortion and miscarriage data**

7 **1. Definitions.** As used in this section, unless the context  
9 otherwise indicates, the following terms have the following  
11 meanings.

13 **A. "Abortion"** means the intentional interruption of a  
15 pregnancy by the application of external agents, whether  
17 chemical or physical, or the ingestion of chemical agents  
with an intention other than to produce a live birth or to  
remove a dead fetus, regardless of the length of gestation.

19 **B. "Miscarriage"** means an interruption of a pregnancy other  
21 than as provided in paragraph A of a fetus of less than 20  
weeks gestation.

23 **2. Abortion reports.** A report of each abortion performed  
25 shall be made to the Department of Human Services on forms  
27 prescribed by the department. These report forms shall not  
29 identify the patient by name or otherwise and shall contain only  
the information requested on the United States Standard Report of  
Induced Termination of Pregnancy, published by the National  
Center for Health Statistics, dated January 1978, or any more  
recent revision of a standard report form.

31 **The form containing that information and data shall be prepared**  
33 **and signed by the attending physician and transmitted to the**  
35 **department not later than 10 days following the end of the month**  
37 **in which the abortion is performed.**

39 **A physician who reports data on an abortion pursuant to this**  
41 **section shall be immune from any criminal liability for that**  
43 **abortion under section 1598.**

45 **3. Miscarriage reports.** A report of each miscarriage shall  
47 be made by the physician in attendance at or after the occurrence  
49 of the miscarriage to the Department of Human Services on forms  
prescribed by the department. These report forms shall contain  
all of the applicable information required on the certificate of  
fetal death in current use.

51 **The report form shall be prepared and signed by the attending**  
**physician and transmitted to the department not later than 10**  
**days following the end of the month in which the miscarriage**  
**occurs.**



1 fetal deaths of 20 weeks or more gestation, which requests  
information on geographic locale; parents' ages, race and  
3 ancestry, education, occupation; mother's previous reproductive  
history; concurrent medical conditions, prenatal care,  
5 complications of labor and delivery; and cause of death. To  
ensure confidentiality, the report of miscarriage will be sent  
7 directly to the Department of Human Services and the identity of  
patient and reporting physician or other person is protected.

9  
11 This bill amends Title 22, section 1596, to require induced  
abortion reports in this State to conform to the current United  
States Standard Report of Induced Termination of Pregnancy. It  
13 also amends Title 22, section 2841, to be consistent with the  
requirements for birth registration by extending the period for  
15 filing the fetal death certificate to allow more time for  
obtaining the medical and demographic information.