

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1101

H.P. 804

House of Representatives, March 4, 2003

An Act To Establish and Enforce Abortion Facility Safety Requirements

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CRESSEY of Baldwin.
Cosponsored by Senator SHOREY of Washington and
Representatives: BERRY of Belmont, CARR of Lincoln, DUPREY of Hampden, GLYNN of
South Portland, RICHARDSON of Skowhegan, SNOWE-MELLO of Poland, VAUGHAN of
Durham, Senator: DAVIS of Piscataquis.

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

4 **Sec. 1. 22 MRSA §1599-B** is enacted to read:

6 **§1599-B. Abortion facility**

8 **1. Rules.** The department shall adopt rules providing for the licensing and inspection of surgical facilities and the health and safety of the patients and employees of surgical facilities. As used in this section, "surgical facility" means a facility in which 50% or more of the patients annually served by the surgical facility undergo abortions. The department shall ensure that the rules adopted are consistent with the most recent United States Supreme Court decisions regarding state regulation of abortions. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

18 **2. Issuance of licenses.** The department may not issue or renew a license to operate a surgical facility if, after inspection, the surgical facility is in noncompliance with rules adopted under subsection 1.

24 **SUMMARY**

26 This bill requires the Department of Human Services to adopt
28 rules providing for the licensing and inspection of surgical
30 facilities and the health and safety of the patients and
32 employees of surgical facilities in which 50% or more of the
patients annually served undergo abortions. The rules must be
consistent with the most recent United States Supreme Court
decisions regarding state regulation of abortions.