

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1129

H.P. 832

House of Representatives, March 4, 2003

An Act To Amend the Laws Governing Abortion Reporting

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DAVIS of Falmouth. (BY REQUEST)
Cosponsored by Senator GILMAN of Cumberland and
Representatives: BERRY of Belmont, CARR of Lincoln, DUPREY of Hampden, JOY of
Crystal, PARADIS of Frenchville, PINEAU of Jay, SNOWE-MELLO of Poland, Senator:
DAVIS of Piscataquis.

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

4 **Sec. 1. 22 MRSA §1596, sub-§2**, as repealed and replaced by PL 1989, c. 274, §1, is amended to read:

6 **2. Abortion reports.** A report of each abortion performed shall must be made to the Department of Human Services on forms prescribed by the department. These report forms shall may not identify the patient by name or otherwise and shall may 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.

14 The form containing that information and data shall must 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 abortion is performed. The department shall publish and make available to the public such information and data within 60 days from the end of the calendar year for which they were reported.

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

26 The report forms must be completely filled out. Any portion of the form that is optional must be clearly marked. The form must include the name of the physician, the date of the abortion, the date of the last menses, if known, the estimated age of the fetus and the procedure used in the abortion. The form may require the reporting of other information.

34 A person who violates this subsection must be reported by the department to the Board of Licensure in Medicine within 30 days of each violation. For the purposes of this subsection, each incomplete report is a separate violation.

38 The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

42 The department shall publish the name of every person reported to the Board of Licensure in Medicine and the number of times the person violated this subsection. This information must be available to the public within 60 days from the end of the calendar year for which it was reported.

SUMMARY

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4 This bill requires the full completion of abortion reports
6 that are required for the Department of Human Services and
 provides for reporting by the department to the Board of
 Licensure in Medicine for every violation. It specifies certain
 information that must be completed on the form.