

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1512

H.P. 1057

House of Representatives, March 30, 2005

**Resolve, Directing the Bureau of Health To Study the Effectiveness
and Quality of Reproductive Counseling**

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DAIGLE of Arundel.

2 **Sec. 1. Bureau of Health study. Resolved:** That the Department
of Health and Human Services, Bureau of Health shall conduct a
study, with the voluntary cooperation of medical service
4 providers and patients and safeguarding the autonomy of patients,
of the effectiveness and quality of reproductive counseling
6 required for minors under current law. The study must include
the following.

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10 **1. Predisposition of client.** The study must identify
whether each client approaches the counseling with any
predisposition with regard to choosing an abortion or carrying
12 the pregnancy to term.

14 **2. Neutrality and appropriateness.** The study must examine
whether the content and presentation of information regarding
16 both medical and psychological aspects of an abortion as well as
responses to the client's questions are nondirective, objective
18 and factual with regard to choosing an abortion or carrying the
pregnancy to term. The study must also examine whether the
20 information and answers are appropriately geared to the level of
understanding of each particular client.

22 **3. Outcome.** The study must identify the number of
24 abortions performed or induced after counseling, as well as the
number of clients counseled who did not choose to have an
26 abortion performed or induced.

28 **4. Assessment of effectiveness of counseling.** The study
must assess the effectiveness of counseling. Effectiveness must
30 be determined by examining whether each client received and
comprehended the information to make an informed decision whether
32 to have an abortion; and be it further

34 **Sec. 2. Funding. Resolved:** That the Department of Health and
Human Services, Bureau of Health may seek outside funds to fully
36 fund all costs of the study. Contributions to support the study
may not be accepted from any party having a pecuniary or other
38 vested interest in the outcome of the matters being studied; and
be it further

40 **Sec. 3. Report and recommendations. Resolved:** That the
42 Department of Health and Human Services, Bureau of Health shall
report its recommendations to the joint standing committee of the
44 Legislature having jurisdiction over judiciary matters no later
than February 1, 2007. The Bureau of Health shall include any
46 recommendations for changes in procedures, rules and law. The
joint standing committee of the Legislature having jurisdiction
48 over judiciary matters may report out legislation to the 123rd
Legislature related to the findings and recommendations.

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SUMMARY

4 This resolve directs the Department of Health and Human
6 Services, Bureau of Health to study the effectiveness and quality
8 of reproductive counseling for women considering an abortion.
10 The bureau shall collect information about the predisposition, if
12 any, of persons undergoing counseling required when a minor seeks
14 an abortion. The study must also include an examination of the
16 counseling and information being provided, including whether it
18 is nondirective, objective, factual and comprehended by each
20 client. The study must also identify the number of persons who
22 received counseling and the number of abortions performed after
counseling. Finally, the study must include an assessment of the
effectiveness of the counseling. Effectiveness is to be assessed
in the context of providing information essential to making an
informed decision of whether to have an abortion or to carry the
pregnancy to term, not whether a particular outcome of the
counseling results. The bureau may accept outside funding as
long as it is not provided by anyone with a pecuniary or vested
interest in the study.

24 The bureau will report its findings and recommendations, if
26 any, to the joint standing committee of the Legislature having
28 jurisdiction over judiciary matters no later than February 1,
2007. The joint standing committee of the Legislature have
jurisdiction over judiciary matters may report out legislation to
the 123rd Legislature related to the findings and recommendations.