

2021 Regular Session

HOUSE BILL NO. 423

BY REPRESENTATIVES EMERSON AND EDMONDS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ABORTION: Establishes requirements concerning reports of abortions performed or induced

1 AN ACT

2 To amend and reenact R.S. 40:1061.21(A)(4) and to enact R.S. 40:1061.21(E) and 2109.1,
3 relative to abortion; to provide for certain reports regarding abortions; to provide for
4 certain reports related to complications of surgical procedures as a result of an
5 abortion; to provide for the promulgation of rules; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1061.21(A)(4) is amended and reenacted and R.S. 40:1061.21(E)
8 and 2109.1 are hereby enacted to read as follows:

9 §1061.21. Reports

10 A. An individual abortion report for each abortion performed or induced
11 shall be completed by the attending physician. The report shall be confidential and
12 shall not contain the name or address of the woman. The report shall include:

13 * * *

14 (4) The parish and ~~municipality~~ zip code, if any, in which the pregnant
15 woman resides.

16 * * *

17 E. The Louisiana Department of Health shall, on a quarterly basis, provide
18 to the Department of Children and Family Services and to the attorney general copies
19 of all abortion reports in which a minor pregnant woman under the age of thirteen
20 received an abortion.

21 * * *

1 §2109.1. Hospitals reports on complications of surgical procedures resulting from
2 an abortion

3 A. A hospital licensed by the Louisiana Department of Health, pursuant to
4 this Part shall submit a report to the department on patients who present for treatment
5 in the emergency department as a result of complications after an abortion as defined
6 in R.S. 40:1061.9. Any such report shall be confidential and shall not contain the
7 name or address of the patient.

8 B. The Louisiana Department of Health, in consultation with the Louisiana
9 State Board of Medical Examiners, shall promulgate rules regarding the electronic
10 coding, reporting, and tracking of complications after any abortion that is treated at
11 any hospital.

12 C. The report required by Subsection A of this Section shall include, at a
13 minimum, the general nature of the abortion procedure, if known, the resulting
14 complication, and the identity of the facility in which the original abortion was
15 performed, if known.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 423 Reengrossed

2021 Regular Session

Emerson

Abstract: Establishes requirements concerning reports of abortions performed or induced.

Present law provides that the attending physician must complete an individual report for each abortion performed or induced. Present law further provides that the report shall be confidential and cannot contain the name or address of the woman.

Present law provides that the report shall include the parish and municipality, if any, in which the pregnant woman resides.

Proposed law retains present law; however, instead of the report including the parish and municipality, the report shall include the parish and zip code, if any, in which the pregnant woman resides.

Proposed law provides that the La. Dept. of Health shall, on a quarterly basis, provide to the Dept. of Children and Family Services and the attorney general copies of all abortion reports in which a minor pregnant woman under the age of 13 received an abortion.

Proposed law provides that a hospital licensed by the La. Dept. of Health shall submit a report to the department on patients who received treatment in the emergency department as a result of complications after an abortion.

Proposed law provides that the La. Dept. of Health, in consultation with the La. State Board of Medical Examiners, shall jointly promulgate rules regarding the electronic coding, reporting, and tracking of complications after any abortion that is treated at any hospital.

Proposed law provides that the report required under proposed law shall include, at a minimum, the general nature of the abortion procedure, if known, the resulting complication, and the identity of the facility in which the original abortion was performed, if known.

(Amends R.S. 40:1061.21(A)(4); Adds R.S. 40:1061.21(E) and 2109.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Provide definitions of abortion language, citing present law.
2. Require the provision of certain information if known for the required report.
3. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Provide that the report required by proposed law is confidential.
2. Make technical changes.