

2022 Regular Session

SENATE BILL NO. 104

BY SENATOR MIZELL

HEALTH CARE. Provides relative to telephone access in outpatient abortion facilities.  
(gov sig)

1 AN ACT

2 To enact R.S. 40:2175.8, relative to outpatient abortion facilities; to require outpatient  
3 abortion facilities to permit certain communications by patients; to provide for  
4 conditions for licensure; to provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2175.8 is hereby enacted to read as follows:

7 **§2175.8. Patient's right to unimpeded, private and uncensored telephone**  
8 **communications; condition of facility licensing; penalties**

9 **A. A patient in an outpatient abortion facility shall be permitted**  
10 **unimpeded, private, and uncensored communications with persons by**  
11 **telephone. No outpatient abortion facility shall require a patient to forego**  
12 **possession of the patient's mobile phone or cellular phone as a condition for**  
13 **receiving services or patient access to the facility.**

14 **B. A violation of this Section shall be considered a violation of a**  
15 **condition of licensure and shall be subject to the penalties provided for in R.S.**  
16 **40:2199.**

17 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature  
 2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 3 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 4 effective on the day following such approval.

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The original instrument was prepared by Carla S. Roberts. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cathy Wells.

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## DIGEST

SB 104 Reengrossed

2022 Regular Session

Mizell

Proposed law provides that a patient in an outpatient abortion facility shall be permitted unimpeded, private, and uncensored communications with persons by telephone. Prohibits outpatient abortion facility from requiring a patient to forego possession of the patient's mobile phone or cellular phone as a condition for receiving services or patient access to the facility.

Proposed law provides that a violation of proposed law shall be considered a violation of a condition of licensure and subject to penalty provisions under present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 40:2175.8)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Limits applicability to outpatient abortion facilities.
2. Requires facilities to provide telephone access in procedure rooms.
3. Changes the statute citation.

Senate Floor Amendments to engrossed bill

1. Prohibits outpatient abortion facilities from requiring a patient to forego possession of the patient's mobile phone or cellular phone as a condition for receiving services or patient access to the facility.