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## DIGEST

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HB 461 Original

2023 Regular Session

DuBuisson

**Abstract:** Provides for exceptions to abortion.

Present law (R.S. 14:87.1) provides for the definition of "abortion" and various other terms.

Proposed law retains present law.

Present law (R.S. 14:87.1(b)) provides for a list of acts that do not constitute an abortion when performed by a physician.

Present law further provides that one of these acts as provided in present law (R.S. 14:87.1(b)(ii)) is the removal of a dead unborn child or the inducement or delivery of the uterine contents in case of a positive diagnosis, certified in writing in the woman's medical record along with the results of the obstetric ultrasound test, that the pregnancy has ended or is in the unavoidable and untreatable process of ending due to spontaneous miscarriage.

Proposed law amends present law (R.S. 14:87.1(b)(ii)) to provide that an abortion is not the performance of a medical procedure to treat a patient who has been diagnosed, in good faith medical judgment and certified in writing in the woman's medical record, with a pregnancy that has ended or is in the process of ending due to spontaneous miscarriage, also known in medical terminology as spontaneous abortion, missed abortion, inevitable abortion, incomplete abortion, or septic abortion,

Proposed law provides an exception for a medical procedure that treats a patient who has, in good faith medical judgment and certified in writing in the woman's medical record, been diagnosed with a complication that renders the pregnancy nonviable.

Present law (R.S. 40:1061) provides for a prohibition on abortion and provides for penalties.

Proposed law retains present law.

Present law provides that the terms used in present law (R.S. 40:1061) have the same meaning as the definitions provided in present law (R.S. 14:87.1).

Proposed law amends present law to provide that it shall not be a violation of present law R.S. 40:1061) to perform any act or procedure that is not a violation of present law (R.S. 14:87.7 or R.S. 14:87.8), as defined by present law (R.S. 14:87.1).

(Amends R.S. 14:87.1(1)(b)(ii) and R.S. 40:1061(I))