

2016 Regular Session

HOUSE BILL NO. 488

BY REPRESENTATIVES JACKSON, ADAMS, AMEDEE, BACALA, BAGLEY, BAGNERIS, BARRAS, BISHOP, CHAD BROWN, TERRY BROWN, CARMODY, STEVE CARTER, CHANEY, COUSSAN, COX, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, GAROFALO, GUINN, LANCE HARRIS, HAZEL, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUVAL, IVEY, MIKE JOHNSON, LEBAS, LYONS, MACK, MAGEE, MIGUEZ, DUSTIN MILLER, JAY MORRIS, PIERRE, POPE, PYLANT, REYNOLDS, SEABAUGH, STOKES, TALBOT, THIBAUT, AND ZERINGUE AND SENATORS ALARIO, APPEL, BARROW, BOUDREAUX, COLOMB, CORTEZ, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LONG, MARTINY, MILKOVICH, MILLS, MIZELL, PEACOCK, PERRY, RISER, TARVER, THOMPSON, WALSWORTH, AND WARD

1 AN ACT

2 To amend and reenact R.S. 40:1061.10(A)(1), relative to regulation of abortion; to provide
3 for qualifications of physicians who perform elective abortions; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1061.10(A)(1) is hereby amended and reenacted to read as
7 follows:

8 §1061.10. Abortion by physician; determination of viability; ultrasound test
9 required; exceptions; penalties

10 A.(1) Physician requirements. No person shall perform or induce an
11 abortion unless that person is a physician licensed to practice medicine in the state
12 of Louisiana and is currently ~~enrolled in or has completed a residency~~ board-certified
13 in obstetrics and gynecology or family medicine or enrolled in a residency program
14 for obstetrics and gynecology or family medicine, when that resident performs or
15 induces an abortion under the direct supervision of a physician who is board-certified
16 in obstetrics and gynecology or family medicine. Any outpatient abortion facility
17 that knowingly or negligently employs, contracts with, or provides any valuable
18 consideration for the performance of an abortion in an outpatient abortion facility by

1 any person who does not meet the requirements of this Section is subject to having
 2 its license denied, non-renewed, or revoked by the Department of Health and
 3 Hospitals in accord with R.S. 40:2175.6. For the purposes of this Subsection, "direct
 4 supervision" shall mean that the physician must be present in the hospital, on the
 5 campus, or in the outpatient facility, and immediately available to furnish assistance
 6 and direction throughout the performance of the procedure. The physician need not
 7 be present in the room when the procedure is performed in order to maintain direct
 8 supervision.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____