

2018 Regular Session

HOUSE BILL NO. 449

BY REPRESENTATIVE EDMONDS

ABORTION: Enacts the Adoption Option Act providing for information on adoption to be conveyed pursuant to the Woman's Right To Know law

1 AN ACT

2 To amend and reenact R.S. 40:1061.17(C)(1)(e) and (D)(introductory paragraph) and (2) and

3 to enact R.S. 40:1061.17.1, relative to regulation of abortion; to provide for

4 information to be conveyed pursuant to the Woman's Right To Know law; to provide

5 relative to the abortion alternatives and informed consent website of the Louisiana

6 Department of Health; to provide for delivery of information concerning adoption;

7 to provide for a task force to assist the Louisiana Department of Health in developing

8 certain informational resources; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:1061.17(C)(1)(e) and (D)(introductory paragraph) and (2) are

11 hereby amended and reenacted and R.S. 40:1061.17.1 is hereby enacted to read as follows:

12 §1061.17. Woman's Right To Know

13 * * *

14 C. Publication of abortion alternatives and informed consent website.

15 (1) The department shall cause to be published in English, within one

16 hundred twenty days after enactment of this Act, and shall update on an annual basis,

17 or as needed, the following easily comprehensible information on a stable Internet

18 website that shall be developed and maintained by the department to inform the

19 public of the public and private agencies and services available to assist a woman

20 through pregnancy, upon childbirth, and while her child is dependent, including but

1 not limited to the following information that shall indicate the agency's or service's
2 physical address, telephone number, and web address if available:

3 * * *

4 (e) Information on a separate and featured subpage of the department's
5 website, accessible by redirecting from the domain name AdoptionOption.La.Gov,
6 that lists public and private nonprofit adoption agencies that are not affiliated with
7 an abortion provider, along with easily comprehensible first steps to aid pregnant
8 women seeking to confidentially explore the option of placing her child for adoption,
9 and indicating whether the adoption agency allows the woman to choose the adoptive
10 parents.

11 * * *

12 D. Publication of printed materials. The department shall cause to be
13 published, within one hundred twenty days after enactment of this Act and shall
14 update on an annual basis or as needed, the following printed materials, which shall
15 also be included as printable portable document format documents from the
16 department's website:

17 * * *

18 ~~(2) A list arranged geographically, including the name, address, hours of~~
19 ~~operation, website address if available, and telephone number of each entity which~~
20 ~~offers obstetric ultrasounds free of charge. The list shall not include any facility that~~
21 ~~counsels, refers, performs, induces, prescribes, or provides any means for abortion.~~

22 (2)(a) A list arranged geographically of Louisiana-based public or private
23 nonprofit agencies, including the name, physical address, website address if
24 available, and telephone number of each of the following:

- 25 (i) Entities which offer obstetric ultrasounds free of charge.
- 26 (ii) Entities which offer free and confidential counseling to a woman
27 considering placing her child for adoption, along with the information provided
28 pursuant to Subparagraph (C)(1)(e) of this Section.

1 (b) The lists provided for in this Subsection shall not include any facility that
2 counsels, refers, performs, induces, prescribes, or provides any means for abortion.

3 * * *

4 §1061.17.1. Development of AdoptionOption.La.Gov website; task force

5 The governor shall convene a task force to assist the Louisiana Department
6 of Health in the preparation of the printed and Internet materials provided for in R.S.
7 40:1061.17(C)(1)(e) and (D), and to develop public education initiatives to publicize
8 the information in a manner consistent with state law. The task force shall be
9 composed of the following members:

10 (1) Up to two licensed clinical social workers licensed by the Louisiana State
11 Board of Social Work Examiners, each of whom shall have experience in assisting
12 birth mothers in navigating the adoption process.

13 (2) Up to two Louisiana residents who provide pre-abortion or post-abortion
14 counseling in association with a nonprofit organization that does not counsel for or
15 provide abortion.

16 (3) Up to two attorneys licensed in Louisiana and employed by nonprofit
17 organizations who specialize in advocacy for women at risk of being coerced into
18 abortion, or who specialize in navigating the adoption process.

19 (4) Up to two Louisiana residents who are employed by public or private
20 nonprofit adoption agencies.

21 (5) Up to two executive directors of Louisiana nonprofit organizations that
22 promote adoption as an alternative to abortion, or their designees.

23 (6) Two members of the Senate appointed by the president.

24 (7) Two members of the House of Representatives appointed by the speaker.

25 (8) The secretary of the Louisiana Department of Health or his designee,
26 who shall serve as the chairperson of the task force.

27 Section 2. This Act may be referred to as the "Adoption Option Act".

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 449 Original

2018 Regular Session

Edmonds

Abstract: Providing for information on adoption to be conveyed pursuant to laws relative to informed consent to an abortion.

Proposed law provides that it may be referred to as the "Adoption Option Act".

Present law requires the La. Dept. of Health (LDH) to publish an abortion alternatives and informed consent website. Provides for information to be featured on the website including information on adoption.

Proposed law retains present law and stipulates that the website shall feature information on adoption agencies that are not affiliated with an abortion provider, along with easily comprehensible first steps to aid pregnant women seeking to confidentially explore the option of placing her child for adoption, and indicating whether the adoption agency allows the woman to choose the adoptive parents.

Proposed law requires that the adoption-related information on the abortion alternatives and informed consent website be accessible by redirecting from the domain name "AdoptionOption.La.Gov".

Present law requires LDH to publish printed materials which abortion providers are required to give to a woman prior to an abortion in order for consent to the abortion to be deemed voluntary and informed.

Proposed law retains present law and adds thereto a requirement that such materials include the adoption-related information provided on the abortion alternatives and informed consent website, along with a list of entities which offer free and confidential counseling to a woman considering placing her child for adoption. Stipulates that such list shall not include any facility that counsels, refers, performs, induces, prescribes, or provides any means for abortion.

Proposed law requires the governor convene a task force to assist LDH in the preparation of the printed and Internet materials provided for in proposed law, and to develop public education initiatives to publicize such information on abortion alternatives. Provides that the task force shall be composed of the following members:

- (1) Up to two licensed clinical social workers licensed by the La. State Board of Social Work Examiners, each of whom shall have experience in assisting birth mothers in navigating the adoption process.
- (2) Up to two La. residents who provide pre-abortion or post-abortion counseling in association with a nonprofit organization that does not counsel for or provide abortion.
- (3) Up to two attorneys licensed in La. and employed by nonprofit organizations who specialize in advocacy for women at risk of being coerced into abortion, or who specialize in navigating the adoption process.
- (4) Up to two La. residents who are employed by public or private nonprofit adoption agencies.

- (5) Up to two executive directors of La. nonprofit organizations that promote adoption as an alternative to abortion, or their designees.
- (6) Two members of the Senate appointed by the president.
- (7) Two members of the House of Representatives appointed by the speaker.
- (8) The secretary of LDH or his designee, who shall serve as the chairperson of the task force.

(Amends R.S. 40:1061.17(C)(1)(e) and (D)(intro. para.) and (2); Adds R.S. 40:1061.17.1)