

2021 Regular Session

HOUSE BILL NO. 578

BY REPRESENTATIVE AMEDEE

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

HEALTH CARE: Provides relative to disclosure of certain information relative to abortion pill reversal

1 AN ACT

2 To enact R.S. 40:1061.11.1, relative to abortions; to provide for disclosure of medical
3 information to persons who may receive a chemically-induced abortion; to provide
4 for duties for the Louisiana Department of Health; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1061.11.1 is hereby enacted to read as follows:

7 §1061.11.1. Chemically-induced abortion; information; duties of the department

8 A. When mifepristone is administered, dispensed, or otherwise provided to
9 a pregnant woman by a physician or any person acting under the physician's
10 direction, whether in a licensed outpatient abortion facility, private medical office,
11 or any other facility, then the physician or agent thereof shall provide a disclosure
12 statement published by the department to the pregnant woman. The disclosure
13 statement may be provided by doing any of the following:

14 (1) Stapling the disclosure statement to a bag, envelope, or other package
15 that contains misoprostol for the pregnant woman to self-administer at home.

16 (2) Attaching the disclosure statement to a written prescription for
17 misoprostol provided by the physician or agent thereof.

18 (3) Attaching the disclosure statement to the patient's discharge instructions
19 if the prescription for misoprostol is sent directly to a pharmacy.

1 B. The department shall provide the disclosure statement on an internet
2 webpage created in accordance with the provisions of R.S. 40:1061.17(C). The
3 department shall include on the internet webpage the disclosure statement provided
4 for in Subsection (A) of this Section and the relevant and medically accurate risks
5 associated with taking the abortion pill. The disclosure statement shall be on a
6 standard page which lays out three cut-out notices and features the following text:

7 "ABORTION PILL REVERSAL? PLEASE READ BEFORE TAKING
8 SECOND PILL: Recent research has indicated that the first pill provided, identified
9 as mifepristone, is not always effective in ending a pregnancy. You may be able to
10 avoid, cease, or reverse the intended effects of a chemically-induced abortion if the
11 second pill provided, identified as misoprostol, is not taken. If you want to discuss
12 the possibility of continuing your pregnancy, please consult your physician or
13 healthcare provider immediately. Please visit the Louisiana Department of Health's
14 webpage for more information and resources deemed to be medically accurate by the
15 department."

16 C. The department shall identify the internet webpage as
17 www.abortionpillinfo.la.gov and include the department's logo on the internet
18 webpage.

19 D. Nothing in this Section shall be construed as creating or recognizing a
20 right to abortion.

21 E. As used in this Section, the following terms have the meanings ascribed
22 to them:

23 (1) "Abortion pill" means the use of mifepristone or misoprostol to induce
24 a chemical abortion.

25 (2) "Mifepristone" means a synthetic steroid that inhibits the action of
26 progesterone, given orally in early pregnancy to induce a chemical abortion.
27 Mifepristone is the first drug used in a two-drug process to induce a chemical
28 abortion.

1 (3) "Misoprostol" means a synthetic prostaglandin E₁ analogue that is used
2 to induce a chemical abortion. Misoprostol is the second drug used in a two-drug
3 process to induce a chemical abortion.

4 Section 2. Any provision of this Act held to be invalid or unenforceable by its terms,
5 or as applied to any person or circumstance, shall be construed so as to give it the maximum
6 effect permitted by law, unless such holding is one of utter invalidity or unenforceability,
7 in which event such provision shall be deemed severable in accordance with R.S. 24:175,
8 and shall not affect the remainder hereof or the application of such provision to other persons
9 not similarly situated or to other dissimilar circumstances.

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 578 Engrossed

2021 Regular Session

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Abstract: Requires disclosure of certain information relative to abortion pill reversal.

Present law provides for the regulation of abortions in this state to the extent it is provided for under federal law.

Proposed law states that when a physician or agent thereof administers mifepristone to a pregnant woman, he shall provide a disclosure statement published by the La. Dept. of Health to the pregnant woman.

Proposed law further provides that the disclosure statement may be provided by doing any of the following:

- (1) Stapling the disclosure statement to a bag, envelope, or other package that contains misoprostol for the pregnant woman to self-administer at home.
- (2) Attaching the disclosure statement to a written prescription for misoprostol provided by the physician or agent thereof.
- (3) Attaching the disclosure statement to the patient's discharge instruction if the prescription for misoprostol is sent directly to a pharmacy.

Further provides that the department shall provide the disclosure statement on an internet webpage created in accordance with present law. The disclosure statement shall be provided on the webpage and include the relevant and medically accurate risks associated with taking the abortion pill. The disclosure statement shall be on a standard page which lays out three cut-out notices and features the following text:

ABORTION PILL REVERSAL? PLEASE READ BEFORE TAKING SECOND PILL: Recent research has indicated that the first pill provided, identified as mifepristone, is not always effective in ending a pregnancy. You may be able to avoid, cease, or reverse the intended effects of a chemically-induced abortion if the

second pill provided, identified as misoprostol, is not taken. If you wish to discuss the possibility of continuing your pregnancy, please consult your physician or healthcare provider immediately. Please visit the Louisiana Department of Health's webpage for more information and resources deemed to be medically accurate by the department."

Proposed law requires the La. Dept. of Health to identify the internet webpage as www.abortionpillinfo.la.gov and include the department's logo on the internet webpage.

Proposed law stipulates that nothing in proposed law shall be construed as creating or recognizing a right to abortion.

Proposed law defines "abortion pill", "mifepristone", and "misoprostol".

Proposed law provides that any provision of this Act held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding is one of utter invalidity or unenforceability, in which event such provision shall be deemed severable in accordance with R.S. 24:175, and shall not affect the remainder hereof or the application of such provision to other persons not similarly situated or to other dissimilar circumstances.

(Adds R.S. 40:1061.11.1)