

CONFERENCE COMMITTEE REPORT

HB 423

2021 Regular Session

Emerson

June 9, 2021

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 423 by Representative Emerson, recommend the following concerning the Reengrossed bill:

- 1. That the set of Senate Floor Amendments by Senator Boudreaux (#3482) be adopted.
- 2. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, at the beginning of line 12, change "C." to "C.(1)"

AMENDMENT NO. 2

In Senate Floor Amendment No. 4 by Senator Boudreaux (#3482), on page 1, delete lines 12 through 16 in their entirety and insert in lieu thereof the following:

"the following information, if known:

- (a) The date of the abortion,
- (b) The name and address of the facility where the abortion was performed or induced.
- (c) The nature of the abortion complication diagnosed or treated.
- (d) The name and address of the facility where the post-abortion care was performed.

(2) Each facility that is subject to the requirements of this Section shall ensure that a staff member of the facility attempts to obtain the information required by Paragraph (1) of this Subsection from any patient prior to the patient's discharge from the facility who presents for treatment in the emergency department of the facility as a result of complications after an abortion.

(3) The report shall be submitted on a form created by the Louisiana Department of Health. The Louisiana Department of Health shall publicly report aggregate data annually by facility where the abortion was performed or induced."

Respectfully submitted,

Representative Julie Emerson

Senator Fred H. Mills Jr.

Representative Lawrence A. "Larry" Bagley

Senator Gerald Boudreaux

Representative Rick Edmonds

Senator Beth Mizell

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and oneliner of the instrument as it left the House

ABORTION: Establishes requirements concerning reports of abortions performed or induced

Report adopts Senate amendments to:

1. Require that the date of the abortion, name and address of the facility where the abortion was performed or induced, the nature of the abortion complication diagnosed, or treated, and the name and address of the facility where the post-abortion care was performed be included in a report required by proposed law.
2. Provide that the report required by proposed law shall be exempt from disclosure pursuant to present law known as the Public Records Law (R.S. 44:1 et seq.).

Report amends the bill to:

1. Revise provisions relating to the form on which the report required by proposed law is to be submitted.
2. Require that a staff member of the treatment facility attempt to obtain the information from any patient prior to their discharge from the facility who presents for treatment in the emergency department of the facility as a result of complications after an abortion.
3. Make technical changes.

Digest of the bill as proposed by the Conference Committee

Present law provides that the attending physician must complete an individual report for each abortion performed or induced. Present law further provides that the report shall be confidential and cannot contain the name or address of the woman.

Present law provides that the report shall include the parish and municipality, if any, in which the pregnant woman resides.

Proposed law retains present law; however, instead of the report including the parish and municipality, the report shall include the parish and zip code, if any, in which the pregnant woman resides.

Proposed law requires the report to be submitted to the La. Dept. of Health. Requires that the La. Dept. of Health publicly report aggregate data annual by facility where the abortion was performed or induced.

Proposed law provides that the La. Dept. of Health shall, on a quarterly basis, provide to the Dept. of Children and Family Services and the attorney general copies of all abortion reports in which a minor pregnant woman under the age of 13 received an abortion.

Proposed law provides that a hospital licensed by the La. Dept. of Health shall submit a report to the department on patients who received treatment in the emergency department as a result of complications after an abortion.

Proposed law provides that the La. Dept. of Health, in consultation with the La. State Board of Medical Examiners, shall jointly promulgate rules regarding the electronic coding, reporting, and tracking of complications after any abortion that is treated at any hospital.

Proposed law provides that the report required under proposed law shall include the date of the abortion, name and address of the facility where the abortion was performed or induced, the nature of the abortion complication diagnosed or treated, and the name and address of the facility where the post-abortion care was performed to be included in the report.

Proposed law requires that a staff member of the treatment facility attempt to obtain the information from any patient prior to their discharge from the facility who presents for treatment in the emergency department of the facility as a result of complications after an abortion.

Proposed law requires the La. Dept. of Health to publicly report aggregate data annually by facility where the abortion was performed or induced.

Proposed law provides that the report required by proposed law shall be exempt from disclosure pursuant to present law known as the Public Records Law.

(Amends R.S. 40:1061.21(A)(4) and R.S. 44:4.1(B)(26); Adds R.S. 40:1061.21(E) and 2109.1)