

## RÉSUMÉ DIGEST

ACT 482 (HB 357)

2021 Regular Session

Crews

Existing law requires that an individual abortion report for each abortion performed or induced be completed by the attending physician. Stipulates that the report shall be confidential and not contain the name or address of the woman receiving the abortion procedure and provides for the required content of the report.

New law retains existing law and adds the following requirements for the content of individual abortion reports:

- (1) If the abortion was performed on a minor, the report shall include a notation indicating whether or not the physician or any other staff member of the abortion facility suspected that the minor was the victim of any form of child abuse or neglect and filed a report of such abuse or neglect in accordance with existing law.
- (2) If the abortion was performed on a minor pursuant to a "judicial bypass order" (court order) in lieu of parental consent as allowed in existing law, the report shall include all of the following:
  - (a) The judicial district of the court that issued the order.
  - (b) An indication of whether or not the minor was required to participate in an evaluation and counseling session with a mental health professional from the La. Dept. of Health (LDH) or a staff member from the Dept. of Children and Family Services (DCFS) as allowed in existing law.
  - (c) A notation of whether the judicial bypass was granted because of a finding that the minor girl was mature and capable of giving informed consent, as provided for in existing law.
  - (d) A notation of whether the judicial bypass was granted because of a finding that the performance of the abortion without parental notification and consent was in the best interest of the minor, as provided for in existing law.
  - (e) An indication of whether or not the court issued a protective order for the minor, afforded her the continued services of a court-appointed special advocate, or did both, as allowed in existing law.
  - (f) An indication of whether or not the physician or any other staff member of the abortion facility referred the woman to any licensed professional for post-abortion counseling.
  - (g) An indication of whether or not the physician or any other staff member of the abortion facility referred the woman to LDH or DCFS for any health services or other human services.

Existing law requires LDH to collect all individual abortion reports prepared in accordance with existing law and collate and evaluate all data gathered from the reports. Requires LDH to publish a statistical report annually based on such data from abortions performed in the previous calendar year.

New law retains existing law and adds a requirement that the annual statistical reports on abortions published by LDH include a special section addressing abortions performed on minors. Requires that this section of the report feature, at minimum, a compilation of the information required by new law to be included in individual abortion reports.

New law amends prior law relative to applications for court orders by minors seeking abortions and appeals from denials of those applications to provide that jurisdiction to hear such an application or appeal shall be extended to a court having juvenile jurisdiction in a contiguous parish if either of the following conditions is met:

- (1) The minor's parent or guardian is a presiding judge of the juvenile court in the parish in which the minor is domiciled.
- (2) The parish in which the minor is domiciled has a population of less than 10,000 according to the latest federal decennial census.

Effective August 1, 2021.

(Amends R.S. 40:1061.14(B)(1) and 1061.21(A)(intro. para.), (4), (5)(b), and (D); Adds R.S. 40:1061.21(A)(5)(c))