

2018 Regular Session

SENATE BILL NO. 325

BY SENATOR MILKOVICH

ABORTION. Provides relative to abortion clinics and services. (8/1/18)

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AN ACT

To enact R.S. 40:1061.30, relative to abortion clinics; to authorize and provide for civil action to enjoin the operation of an abortion clinic under certain circumstances; to provide penalties; to provide for certain terms, conditions, procedures, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1061.30 is hereby enacted to read as follows:

§1061.30. Standing; action to close outpatient abortion clinic

In addition to any violation of this Chapter, the following acts shall subject licensed outpatient abortion facilities to the provisions of R.S. 40:2175.6 regarding license suspension or revocation:

(1) Systematically, intentionally, or deliberately falsifying or destroying patient files or records in violation of R.S. 40:1061.17.

(2) Completing in advance of an appointment with a woman seeking abortion any portion of patient records or forms required by R.S. 40:1061.17 to include patient specific data or a physician's signature.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SB 325 Reengrossed

2018 Regular Session

Milkovich

Proposed law provides that in addition to any remedy available through certain penalty provisions in present law, the Louisiana Department of Health may suspend or revoke the license of an outpatient abortion facility for systematically, intentionally, or deliberately falsifying or destroying patient files or records required by present law or completing in advance of an appointment with a woman seeking an abortion any portion of the patient records or forms required by present law.

Effective August 1, 2018.

(Adds R.S. 40:1061.30)

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Deletes proposed law relative to criminal abortion.

Committee Amendments Proposed by Senate Committee on Health and Welfare to the engrossed bill

1. Removes all provisions regarding standing by the district attorney, attorney general, or governor to seek a court order to close an outpatient abortion facility.
2. Limits application of license suspension or revocation to the Louisiana Department of Health for an outpatient abortion facility that systematically, intentionally, or deliberately falsifies or destroys patient files or records required by present law or completing in advance of an appointment with a woman seeking an abortion any portion of the patient records or forms required by present law.