

2020 Regular Session

SENATE BILL NO. 380

BY SENATOR MIZELL

ABORTION. Provides relative to reports required after an abortion. (8/1/20)

1 AN ACT

2 To enact R.S. 40:1061.21(E) and 2109.1, relative to reports required after an abortion; to
3 provide for certain reports regarding abortions; to provide for certain reports related
4 to complications of surgical procedures as a result of an abortion; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1061.21(E) and 2109.1 are hereby enacted to read as follows:

8 §1061.21. Reports

9 * * *

10 **E. The Louisiana Department of Health shall, on a quarterly basis,**
11 **provide to the Department of Children and Family Services and to the attorney**
12 **general copies of all abortion reports in which a minor pregnant woman under**
13 **the age of thirteen received an abortion.**

14 * * *

15 **§2109.1. Hospital reports on complications of surgical procedures resulting**
16 **from an abortion**

17 **A. A hospital licensed by the Louisiana Department of Health, pursuant**

1 to this Part shall submit a report to the department on patents who present for
 2 treatment in the emergency department as a result of complications after an
 3 abortion.

4 B. The Louisiana Department of Health, in consultation with the
 5 Louisiana State Board of Medical Examiners, shall jointly promulgate rules
 6 regarding the electronic coding, reporting, and tracking of complications after
 7 an abortion that are treated at any hospital.

8 C. Such reporting shall include, at a minimum, the general nature of the
 9 abortion procedure, the resulting complication, and the identity of the facility
 10 in which the original abortion was performed.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

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Present law provides that when a woman has an abortion, an individual abortion report for each abortion performed or induced shall be completed by the attending physician.

Present law provides that the abortion report shall be confidential and shall not contain the name or address of the woman. Present law further provides the abortion report will include the patient number, the name and address of the facility at which the abortion was performed or induced, the date of the abortion, and the age of pregnant woman. Present law provides that, if the pregnant woman is a minor, a notation of whether the abortion was performed pursuant to either notarized parental consent or a judicial bypass order.

Proposed law retains present law and further requires the La. Dept. of Health to submit quarterly reports to the Dept. of Children and Family Services and to the attorney general that include copies of all abortion reports in which a minor pregnant woman under the age of 13 obtained an abortion.

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

Proposed law provides that the surgical complications reports shall include the general nature of the abortion procedure, the resulting complication, and the identity of the facility in which the original surgery was performed.

Effective August 1, 2020.

(Adds R.S. 40:1061.21(E) and 2109.1)