

RÉSUMÉ DIGEST

ACT 376 (HB 133)

2019 Regular Session

Hoffmann

For the purpose of the Outpatient Abortion Facility Licensing Law, prior law defined "abortion" as any surgical procedure performed after pregnancy had been medically verified with the intent to cause the termination of the pregnancy other than for the purpose of producing a live birth, removing an ectopic pregnancy, or removing a dead fetus caused by a spontaneous abortion.

New law changes the definition of "abortion" by providing that it shall have the same meaning as in existing law (R.S. 40:1061.9). Existing law provides that abortion is the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child. Such use, prescription, or means is not an abortion if done with the intent to:

- (1) Save the life or preserve the health of an unborn child.
- (2) Remove a dead unborn child or induce delivery of the uterine contents in case of a positive diagnosis, certified in writing in the woman's medical record along with the results of an obstetric ultrasound test, that the pregnancy has ended or is in the unavoidable and untreatable process of ending due to spontaneous miscarriage, also known in medical terminology as spontaneous abortion, missed abortion, inevitable abortion, incomplete abortion, or septic abortion.
- (3) Remove an ectopic pregnancy.

Effective August 1, 2019.

(Amends R.S. 40:2175.3(1))