

## HOUSE BILL NO. HB0118

Abortion-available information for decision.

Sponsored by: Representative(s) Brechtel, Davison, Eklund, Gingery, Jaggi, McKim and Peasley and Senator(s) Dockstader, Jennings, Meier and Nutting

A BILL

for

1 AN ACT relating to public health and safety; requiring  
2 physicians to provide patients with specified information  
3 before certain nonemergency abortion procedures; providing  
4 definitions and amending a definition; and providing for an  
5 effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 35-6-119 is created to read:

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11 **35-6-119. Information provided to patient.**

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13 (a) Except in the case of a medical emergency, at  
14 least twenty-four (24) hours prior to an abortion being  
15 performed or induced on an unborn child, the physician

1 performing the abortion on the pregnant woman, the  
2 referring physician or a qualified person assisting the  
3 physician shall, orally and in person:

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5 (i) Inform the pregnant woman that she has a  
6 right to view an active ultrasound of the unborn child and  
7 hear the heartbeat of the unborn child if the heartbeat is  
8 audible. The active ultrasound image must be of a quality  
9 consistent with standard medical practice in the community,  
10 shall contain the dimensions of the unborn child and shall  
11 accurately portray the presence of external members and  
12 internal organs, if present or viewable, of the unborn  
13 child. The auscultation of fetal heart tone must be of a  
14 quality consistent with standard medical practice in the  
15 community;

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17 (ii) In the case where the unborn child is  
18 twenty (20) weeks gestation or more, offer information on  
19 fetal pain to the pregnant woman. The information shall  
20 include, but shall not be limited to, the following:

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22 (A) That, by twenty (20) weeks gestation,  
23 an unborn child possesses all anatomical links in its  
24 nervous system, including spinal cord, nerve tracts,

1 thalamus and cortex, that are necessary in order to feel  
2 pain;

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4 (B) That an unborn child who is twenty (20)  
5 weeks gestation or more is fully capable of experiencing  
6 pain;

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8 (C) A description of the actual steps in  
9 the abortion procedure to be performed or induced, and at  
10 which steps in the abortion procedure the unborn child is  
11 capable of feeling pain;

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13 (D) That maternal anesthesia typically  
14 offers little pain prevention for the unborn child;

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16 (E) That an anesthetic or analgesic is  
17 available in order to minimize or alleviate pain to the  
18 unborn child.

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20 (b) This section shall not apply to an abortion  
21 performed with the intent to:

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23 (i) Save the life or preserve the health of the  
24 unborn child;

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2 (ii) Remove a dead unborn child;

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4 (iii) Remove an ectopic pregnancy.

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6 (c) For purposes of this section:

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8 (i) "Medical emergency" means a pregnant woman's  
9 condition which, on the basis of a physician's good faith  
10 clinical judgment:

11

12 (A) So complicates her medical condition  
13 that the immediate termination of her pregnancy is  
14 necessary to prevent her death; or

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16 (B) Creates a serious risk of causing her  
17 substantial and irreversible impairment of a major bodily  
18 function.

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20 (ii) "Qualified person" means an agent or  
21 employee of the physician and who is a licensed  
22 psychologist, clinical social worker, professional  
23 counselor, registered nurse or physician.

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