HOUSE BILL NO. HB0251

Abortion-ultrasound information.

Sponsored by: Representative(s) Brechtel, Edmonds, Eklund, Jaggi, Kroeker, Loucks, Lubnau, McKim and Peasley and Senator(s) Dockstader and Meier

A BILL

for

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

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

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

35-6-119. Information provided to patient.

(a) Except in the case of a medical emergency, at least twenty-four (24) hours prior to an abortion being performed or induced on an unborn child, the physician performing the abortion on the pregnant woman, the
referring physician or a qualified person assisting the physician shall, orally and in person inform the pregnant woman that she has a right to view an active ultrasound of the unborn child and hear the heartbeat of the unborn child if the heartbeat is audible. The active ultrasound image must be of a quality consistent with standard medical practice in the community, shall contain the dimensions of the unborn child and shall accurately portray the presence of external members and internal organs, if present or viewable, of the unborn child. The auscultation of fetal heart tone must be of a quality consistent with standard medical practice in the community.

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

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

(ii) Remove a dead unborn child;

(iii) Remove an ectopic pregnancy.
(c) If disclosures are required pursuant to subsection (a) of this section, the physician shall obtain a signed statement from the pregnant woman acknowledging that she was provided the information specified in subsection (a) of this section. The signed statement shall be placed in the pregnant woman's medical file and shall be treated as a confidential medical document under all applicable state and federal laws and regulations.

(d) For purposes of this section:

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

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

(B) Creates a serious risk of causing her substantial and irreversible impairment of a major bodily function.
(ii) "Qualified person" means an agent or employee of the physician and who is a licensed psychologist, clinical social worker, professional counselor, registered nurse or physician.

Section 2. W.S. 35-6-101(a)(xii) is amended to read:

35-6-101. Definitions.

(a) As used in the act, unless the context otherwise requires:

(xii) "This act" means W.S. 35-6-101 through 35-6-119.

Section 3. This act is effective July 1, 2011.