

1 H.57

2 Representative Bancroft of Westford moves that the bill be amended as
3 follows:

4 First: In Sec. 2, 18 V.S.A. chapter 223, in section 9494 (interference with
5 reproductive choice prohibited), in subsection (a), before “public entity” by
6 striking out the word “A” and inserting in lieu thereof the following:

7 “Except as provided in this chapter, a”

8 Second: In Sec. 2, 18 V.S.A. chapter 223, in section 9497 (abortion;
9 restricting access prohibited) before “public entity shall not” by striking out the
10 word “A” and inserting in lieu thereof the following:

11 “Except as provided in this chapter, a”

12 Third: In Sec. 2, 18 V.S.A. chapter 223, after section 9498, by inserting a
13 new section as follows:

14 § 9499. ABORTION; INFORMED CONSENT; REQUIREMENTS

15 (a) As used in this section, “health care provider” means an individual
16 licensed or certified or authorized by law to provide professional health care
17 service in this State to a patient during that patient’s medical care, treatment, or
18 confinement.

19 (b) An abortion shall not be performed or induced without the voluntary
20 and informed consent of the patient on whom the abortion is to be performed

1 or induced. Except in the case of a medical emergency, consent to an abortion
2 is voluntary and informed only if:

3 (1) At least 48 hours before the patient having any part of an abortion
4 performed or induced, the health care provider who is to perform the abortion,
5 or a qualified person working in conjunction with the health care provider,
6 informs the patient orally and in-person of:

7 (A) the name of the health care provider who will perform the
8 abortion;

9 (B) the nature of the proposed procedure or treatment;

10 (C) the immediate and long-term medical risks associated with the
11 procedure that are relevant to the patient in the health care provider's
12 professional clinical judgement; and

13 (D) the probable gestational age of the unborn child at the time the
14 abortion is to be performed and the probable anatomical and physiological
15 characteristics of the unborn child at the time the abortion is to be performed.

16 (2) The individual certifies in writing prior to the abortion that, at least
17 48 hours prior to the patient having any part of an abortion performed or
18 induced, the patient was given the information required by subdivision (1) of
19 this section.

20 (c) A violation of this section shall constitute unprofessional conduct as
21 provided in the relevant provisions of Title 26 and shall subject the health care

- 1 provider to discipline pursuant to the applicable provisions of that title and of 3
- 2 V.S.A. chapter 5.