

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 otherwise 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 otherwise 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; MANDATORY COUNSELING FOR
15 UNSUPPORTED MINORS; REQUIREMENTS

16 (a) Definition. As used in this section, “designated agency” means a
17 designated community mental health and developmental disability agency as
18 described in subsection 8907(a) of this title.

19 (b) Prohibition. Except as provided in subsection (d) of this section, no
20 abortion shall be performed upon an unemancipated minor or upon a minor for
21 whom a guardian has been appointed who does not have the support of a

1 parent or guardian without a certification from a designated agency that the
2 minor has received counseling as required by subsection (c) of this section.

3 (c) Counseling requirement.

4 (1) Prior to the minor patient described in subsection (b) of this section
5 having any part of an abortion performed or induced, a health care provider
6 shall refer the patient to a designated agency to receive counseling, which shall
7 include:

8 (A) an explanation that the information is being given objectively,
9 and is not intended to coerce, persuade, or induce the patient to make a
10 particular decision;

11 (B) an explanation of all the options available to the patient,
12 including information regarding adoption, abortion, and support services
13 available to assist the patient if she chooses to carry the pregnancy to term; and

14 (C) the nature of the proposed abortion procedure and the immediate
15 and long-term medical risks associated with the procedure.

16 (2) The counselor at the designated agency shall certify in writing that
17 the patient received the counseling required in this subsection and that, in his
18 or her professional judgement, the patient is seeking abortion care voluntarily,
19 and that the patient is able to access appropriate post-abortion care.

20 (d) Exceptions. This section shall not apply in the case of a medical
21 emergency in which the minor's life or health is at risk, if the health care

1 provider has reason to believe that the pregnancy is the result of rape or incest,
2 or in cases of ectopic pregnancy.

3 (e) Discipline. A violation of this section shall constitute unprofessional
4 conduct as provided in the relevant provisions of Title 26 and shall subject the
5 health care provider to discipline pursuant to the applicable provisions of that
6 title and of 3 V.S.A. chapter 5.