

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2508

As Amended by House Committee on Federal
and State Affairs

Brief*

HB 2508, as amended, would amend the Woman's-Right-to-Know Act by adding or revising certain definitions, revising the processes to be followed in different medical emergencies involving abortion, and eliminating certain language, principally referring to gestational age.

Specifically, the bill would add a definition of "bodily function" to the law, defining a bodily function to mean physical functions only and not to include mental or emotional functions. The bill also would change the definition of "medical emergency" by removing references to the determination of gestational age and adding language referring to delays necessary to comply with applicable statutory requirements concerning abortion. Other language would be stricken with regard to a medical emergency, eliminating references to the best medical judgment of the attending physician and the determination of an emergency in order to conform with the new definition of "medical emergency." Another provision addressing the Kansas Hospital Authority's facilities would be modified regarding "medical emergency" and the performance of abortions under certain enumerated conditions.

The bill also would strike the words "objective, nonjudgmental, scientifically accurate" from language required by law to be posted, along with a web link to information from the Kansas Department of Health and Environment, on the websites of private offices, freestanding

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

surgical outpatient clinics, or other facilities or clinics where abortions are performed.

Finally, the bill would remove language in KSA 2013 Supp. 65-4a07 to conform with KSA 2013 Supp. 65-6701 concerning abortions performed when the gestational age of the unborn child is less than 22 weeks and where abortions may be performed.

Background

At the hearing in the House Federal and State Affairs Committee, a representative from Kansans for Life presented testimony in favor of the bill. A representative from Planned Parenthood of Kansas and Mid-Missouri presented neutral testimony. Written testimony opposing the bill was provided by a representative from Trust Women.

The House Committee amended the bill by removing language in KSA 2013 Supp. 65-4a07 in order to clarify that abortions performed when the gestational age of the unborn child is less than 22 weeks are to be performed in a facility licensed pursuant to existing law, except that abortions may be performed under certain circumstances in hospitals or ambulatory surgical centers that do not meet the definitions of a facility under the law, but are licensed under the law.

The fiscal note on the bill, as introduced, indicated the Board of Healing Arts believed the bill could result in more complaints of noncompliance by facilities, resulting in more investigations being conducted by the Board. The Board indicated it was unable to estimate costs associated with the increased number of investigations. The Kansas Department of Health and Environment indicated that the required changes to the web link statement that must be posted on clinics' websites would have no fiscal effect.