

2021 Kansas Statutes

65-6723. **Same; definitions.** As used in K.S.A. 65-6722 through 65-6724, and amendments thereto:

- (a) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy.
- (b) "Bodily function" means physical function. The term "bodily function" does not include mental or emotional functions.
- (c) "Department" means the department of health and environment.
- (d) "Gestational age" means the time that has elapsed since the first day of the woman's last menstrual period.
- (e) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function.
- (f) "Pain-capable unborn child" means an unborn child having reached the gestational age of 22 weeks or more.
- (g) "Physician" means a person licensed to practice medicine and surgery in this state.
- (h) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.

History: L. 2011, ch. 41, § 2; L. 2014, ch. 87, § 7; Apr. 24.