

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1210, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 16.
- 2 Delete page 2.
- 3 Page 3, delete lines 1 through 40.
- 4 Page 4, delete lines 9 through 14.
- 5 Page 6, line 33, after "designee" insert "(if the designee is licensed
- 6 **under IC 25-22.5) and"**.
- 7 Page 6, line 36, after "The" insert "**objective scientific evidence of**
- 8 **the"**.
- 9 Page 6, line 39, after "pregnancy;" insert "**and"**.
- 10 Page 6, line 40, delete "infertility; and" and insert "**infertility."**
- 11 Page 6, delete lines 41 through 42.
- 12 Page 7, delete lines 1 through 2.
- 13 Page 7, line 13, after "That" insert "**objective scientific"**.
- 14 Page 8, line 6, after "provide" insert "**objective"**.
- 15 Page 8, line 36, delete "develop and post the" and insert "**post**
- 16 **Internet web site links concerning"**.
- 17 Page 8, line 38, delete "develop" and insert "**post Internet web site**
- 18 **links relating to"**.
- 19 Page 9, line 5, delete "Information" and insert "**Objective scientific**
- 20 **information"**.

1 Page 9, delete lines 12 through 14.

2 Page 9, line 22, delete "A list of public and private agencies that
3 provide" and insert "**Information regarding telephone 211 dialing
4 code services for accessing human services as described in
5 IC 8-1-19.5, and the types of services that are available through
6 this service.**".

7 Page 9, delete lines 23 through 41.

8 Page 9, line 42, delete "subsection (b)(6)(C)," and insert
9 "**subsection (b)(6),**".

10 Page 11, between lines 18 and 19, begin a new paragraph and insert:

11 "SECTION 15. IC 16-34-2-4 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. (a) No physician
13 shall perform an abortion on an unemancipated pregnant woman less
14 than eighteen (18) years of age without first having obtained the written
15 consent of one (1) of the parents or the legal guardian of the minor
16 pregnant woman.

17 (b) A minor:

18 (1) who objects to having to obtain the written consent of her
19 parent or legal guardian under this section; or

20 (2) whose parent or legal guardian refuses to consent to an
21 abortion;

22 may petition, on her own behalf or by next friend, the juvenile court **in
23 the county in which the pregnant woman resides or in which the
24 abortion is to be performed**, for a waiver of the parental consent
25 requirement under subsection (a). **A next friend may not be a
26 physician or provider of abortion services, representative of the
27 physician or provider, or other person that may receive a direct
28 financial benefit from the performance of an abortion.**

29 (c) A physician who feels that compliance with the parental consent
30 requirement in subsection (a) would have an adverse effect on the
31 welfare of the pregnant minor or on her pregnancy may petition the
32 juvenile court within twenty-four (24) hours of the abortion request for
33 a waiver of the parental consent requirement under subsection (a).

34 (d) The juvenile court must rule on a petition filed by a pregnant
35 minor under subsection (b) or by her physician under subsection (c)
36 within forty-eight (48) hours of the filing of the petition. Before ruling
37 on the petition, the court shall consider the concerns expressed by the
38 pregnant minor and her physician. The requirement of parental consent

1 under this section shall be waived by the juvenile court if the court
 2 finds that the minor is mature enough to make the abortion decision
 3 independently or that an abortion would be in the minor's best interests.

4 (e) Unless the juvenile court finds that the pregnant minor is already
 5 represented by an attorney, the juvenile court shall appoint an attorney
 6 to represent the pregnant minor in a waiver proceeding brought by the
 7 minor under subsection (b) and on any appeals. The cost of legal
 8 representation appointed for the minor under this section shall be paid
 9 by the county.

10 (f) A minor or her physician who desires to appeal an adverse
 11 judgment of the juvenile court in a waiver proceeding under subsection
 12 (b) or (c) is entitled to an expedited appeal, under rules to be adopted
 13 by the supreme court.

14 (g) All records of the juvenile court and of the supreme court or the
 15 court of appeals that are made as a result of proceedings conducted
 16 under this section are confidential.

17 (h) A minor who initiates legal proceedings under this section is
 18 exempt from the payment of filing fees.

19 (i) This section shall not apply where there is an emergency need for
 20 a medical procedure to be performed such that continuation of the
 21 pregnancy provides an immediate threat and grave risk to the life or
 22 health of the pregnant woman and the attending physician so certifies
 23 in writing."

24 Page 13, delete lines 5 through 42.

25 Delete pages 14 through 15.

26 Renumber all SECTIONS consecutively.

(Reference is to HB 1210 as reprinted March 30, 2011.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

Miller

Chairperson