

# COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1210 because it conflicts with HEA 1474-2011 without properly recognizing the existence of HEA 1474-2011, has had Engrossed House Bill 1210 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed House Bill 1210 be corrected as follows:

1 Page 11, delete lines 1 through 42.

2 Page 12, delete lines 1 through 12, begin a new paragraph and insert  
3 the following:

4 "SECTION 15. IC 16-34-2-5, AS AMENDED BY HEA 1474-2011,  
5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2011]: Sec. 5. (a) Every medical facility where abortions may  
7 be performed shall be supplied with forms drafted by the state  
8 department, the purpose and function of which shall be the  
9 improvement of maternal health and life through the compilation of  
10 relevant maternal life and health factors and data, and a further purpose  
11 and function shall be to monitor all abortions performed in Indiana to  
12 assure the abortions are done only under the authorized provisions of  
13 the law. Such forms shall include, among other things, the following:

14 (1) The age of the woman who is aborted.

15 (2) The place where the abortion is performed.

16 (3) The full name and address of the physicians performing the  
17 abortion.

18 (4) The name of the father if known.

19 (5) The age of the father, or the approximate age of the father if  
20 the father's age is unknown.

21 (6) **The postfertilization age of the fetus, the manner in which**  
22 **the postfertilization age was determined, and if after the**  
23 **earlier of the time the fetus obtains viability or the time the**  
24 **postfertilization age of the fetus is at least twenty (20) weeks,**  
25 the medical reason for the abortion.

1 (7) The medical procedure employed to administer the abortion,  
 2 **and if the medical procedure performed on a fetus who is**  
 3 **viable or has a postfertilization age of at least twenty (20)**  
 4 **weeks:**

5 (A) **whether the method of abortion used was a method,**  
 6 **that in the reasonable judgment of a physician, would**  
 7 **provide the best opportunity for the fetus to survive; and**  
 8 **(B) the basis for the determination that the pregnant**  
 9 **woman had a condition described in this chapter that**  
 10 **required the abortion to avert the death of or serious**  
 11 **impairment to the pregnant woman.**

12 (8) The mother's obstetrical history, including dates of other  
 13 abortions, if any.

14 (9) The results of pathological examinations if performed.

15 (10) Information as to whether the fetus was delivered alive.

16 (11) Records of all maternal deaths occurring within the health  
 17 facility where the abortion was performed.

18 (12) The date of the pregnancy termination.

19 (13) The date the form was received by the state department.

20 (b) The form provided for in subsection (a) shall be completed by  
 21 the physician performing the abortion and shall be transmitted to the  
 22 state department not later than July 30 for each abortion performed in  
 23 the first six (6) months of that year and not later than January 30 for  
 24 each abortion performed for the last six (6) months of the preceding  
 25 year. However, if an abortion is performed on a female who is less than  
 26 fourteen (14) years of age, the physician performing the abortion shall  
 27 transmit the form to the state department of health and the department  
 28 of child services within three (3) days after the abortion is performed.

29 (c) The dates in subsection (a)(12) and (a)(13) may not be redacted  
 30 for any use of the form.

31 (d) Each failure to file the completed form on time as required under  
 32 this section is a Class B misdemeanor.

33 (e) **Not later than June 30 of each year, the state department**  
 34 **shall compile a public report providing the following:**

35 (1) **Statistics for the previous calendar year from the**  
 36 **information submitted under this section.**

37 (2) **Statistics for previous calendar years compiled by the state**  
 38 **department under this subsection, with updated information**  
 39 **for the calendar year that was submitted to the state**  
 40 **department after the compilation of the statistics.**

41 **The state department shall ensure that no identifying information**

- 1 **of a pregnant woman is contained in the report."**
- 2 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1210 as reprinted April 19, 2011.)

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Senator LONG, Chairperson

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Senator SIMPSON, R.M.M.

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Senator MILLER