

# SENATE BILL No. 101

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-34-2-1.5.

**Synopsis:** Written materials on abortions. Requires the state department of health to develop written materials to be provided to a pregnant woman setting forth specified information. Allows the state department to charge a provider who requests the materials the cost of printing and distributing the materials. Specifies information to be included in the written materials.

**Effective:** July 1, 2013.

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**Banks, Kruse**

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January 7, 2013, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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## SENATE BILL No. 101



A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-34-2-1.5, AS ADDED BY P.L.193-2011,
- 2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2013]: Sec. 1.5. (a) The state department shall **develop**
- 4 **written materials and** post Internet web site links concerning
- 5 materials described in this section on the state department's Internet
- 6 web site.
- 7 (b) The state department shall **develop written materials and** post
- 8 Internet web site links relating to materials that include the following:
- 9 (1) Objective scientific information concerning the probable
- 10 anatomical and physiological characteristics of a fetus every two
- 11 (2) weeks of gestational age, including the following:
- 12 (A) Realistic pictures in color for each age of the fetus,
- 13 including the dimensions of the fetus.
- 14 (B) Whether there is any possibility of the fetus surviving
- 15 outside the womb.
- 16 (2) Objective scientific information concerning the medical risks
- 17 associated with each abortion procedure, including the following:



- 1 (A) The risks of infection and hemorrhaging.  
 2 (B) The potential danger:  
 3 (i) to a subsequent pregnancy; or  
 4 (ii) of infertility.  
 5 (3) Information concerning the medical risks associated with  
 6 carrying the child to term.  
 7 (4) Information that medical assistance benefits may be available  
 8 for prenatal care, childbirth, and neonatal care.  
 9 (5) Information that the biological father is liable for assistance in  
 10 support of the child, regardless of whether the biological father  
 11 has offered to pay for an abortion.  
 12 (6) Information regarding telephone 211 dialing code services for  
 13 accessing human services as described in IC 8-1-19.5, and the  
 14 types of services that are available through this service.  
 15 (c) In complying with subsection (b)(6), the state department shall  
 16 consult with the recognized 211 service providers and the Indiana  
 17 utility regulatory commission as required by IC 8-1-19.5-9.  
 18 **(d) In the development of the written materials described in this**  
 19 **section, the state department shall use information and pictures**  
 20 **that are available at no cost or nominal cost to the state**  
 21 **department. The state department may charge a provider who**  
 22 **requests the materials a fee to defray the cost of printing and**  
 23 **distributing the materials to the provider.**  
 24 (e) Before distributing the written materials described in this  
 25 section, a provider required to disseminate the materials shall  
 26 include the following information on the back cover of the written  
 27 materials:  
 28 (1) The name of the physician performing the abortion and  
 29 the physician's medical license number.  
 30 (2) An emergency telephone number where the physician or  
 31 the physician's designee may be contacted on a twenty-four  
 32 (24) hours a day, seven (7) days a week basis.  
 33 (3) A statement that follow-up care by the physician or the  
 34 physician's designee who is licensed under IC 25-22.5 is  
 35 available on an appropriate and timely basis when clinically  
 36 necessary.  
 37 (f) The written materials must include and meet the following  
 38 requirements:  
 39 (1) Copy must be in the following font sizes:  
 40 (A) Cover title of "A Woman's Right to Know" in at least  
 41 28 point font size and bold.  
 42 (B) Subtitle of "Information Material" in at least 18 point

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- 1 font size and bold.  
 2 (C) Section headings in 20 point font size and bold.  
 3 (D) Subheadings in 16 point font size and italics.  
 4 (E) Remaining text in 11 point font size.  
 5 (2) Pictures in color.  
 6 (3) The state department seal and contact information,  
 7 including the state department's Internet web site address, on  
 8 the back cover of the written materials.  
 9 (4) The date of publication and publishing information on the  
 10 inside front cover.  
 11 (5) A summary of the requirements specified in IC 16-34-2.  
 12 (6) Scientific information about the growth of the fetus for the  
 13 following gestational weeks of a pregnancy:  
 14 (A) Two (2) weeks gestation.  
 15 (B) Four (4) weeks gestation.  
 16 (C) Six (6) weeks gestation.  
 17 (D) Eight (8) weeks gestation.  
 18 (E) Ten (10) weeks gestation.  
 19 (F) Twelve (12) weeks gestation.  
 20 (G) Fourteen (14) weeks gestation.  
 21 (H) Sixteen (16) weeks gestation.  
 22 (I) Eighteen (18) weeks gestation.  
 23 (J) Twenty (20) weeks gestation.  
 24 (7) The medical risks of having an abortion.  
 25 (8) The medical risks of carrying the fetus to term.  
 26 (9) Information concerning what a pregnant woman can  
 27 expect to happen at the provider's office when seeking an  
 28 abortion, including the following:  
 29 (A) Physical examination and laboratory work by the  
 30 provider that is generally performed.  
 31 (B) That the provider should provide the individual with  
 32 the following information:  
 33 (i) The gestational age of the fetus if the individual is  
 34 pregnant.  
 35 (ii) The medical risks of having an abortion and of  
 36 carrying the fetus to term.  
 37 (iii) Information about the abortion procedure being  
 38 considered.  
 39 (10) Information concerning the parental consent process if  
 40 the individual is a minor.  
 41 (11) Information concerning the availability of adoption.  
 42 (12) A summary and information concerning Indiana's safe

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1 **haven law under IC 31-34-2.5.**

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