



# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 887

H.P. 573

House of Representatives, March 4, 2025

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**An Act to Make Manufacturers Responsible for Proper Disposal of  
Abortion Drugs and Require a Health Care Provider to Be  
Physically Present During a Chemical Abortion**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative PAUL of Winterport.  
Cosponsored by Senator HAGGAN of Penobscot and  
Representatives: GRIFFIN of Levant, HAGGAN of Hampden, JAVNER of Chester, QUINT  
of Hodgdon.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1599-B** is enacted to read:

3 **§1599-B. Chemical abortions requiring presence of health care provider**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Abortion drug" means any drug, medicine or other substance or any combination  
7 of drugs, medicines or substances when used to terminate a pregnancy with an intention  
8 other than to produce a live birth or remove a nonviable fetus.

9 B. "Attempt to provide," with respect to a chemical abortion, means conduct that, under  
10 the circumstances as the actor believes them to be, constitutes a substantial step in the  
11 course of conduct planned to culminate in a chemical abortion.

12 C. "Catch kit" means a collection container designed to catch and hold medical waste  
13 or infectious waste, often used for collecting samples for testing.

14 D. "Chemical abortion" means an abortion effectuated with the use of an abortion drug.

15 E. "Health care provider" means a person licensed to prescribe prescription drugs under  
16 applicable federal and state laws.

17 F. "Medical waste bag" means a biohazardous waste container made to contain medical  
18 or biohazardous waste, also known as an infectious waste bag, health care waste bag  
19 or biohazard waste bag.

20 G. "Provide" means to dispense or provide an abortion drug or to otherwise make an  
21 abortion drug available to a patient.

22 **2. Chemical abortions prohibited without physical presence of health care**  
23 **provider.** A health care provider may not, in or affecting interstate or foreign commerce,  
24 knowingly provide or attempt to provide a chemical abortion without:

25 A. Physically examining the patient;

26 B. Being physically present at the location of the chemical abortion;

27 C. Scheduling a follow-up visit for the patient not to occur more than 7 days after the  
28 use or administration of the abortion drug to assess the patient's physical condition; and

29 D. Providing a catch kit and medical waste bag, including instructions for the patient  
30 to use the catch kit and medical waste bag and to return the catch kit and medical waste  
31 bag to the health care provider for proper disposal. A medical waste bag must be  
32 fluorescent orange or orange-red and have a label in a contrasting color affixed to its  
33 exterior stating "BIOHAZARD."

34 **3. Violation.** A person who violates this section commits a Class C crime.

35 **4. Exceptions.** This section does not apply to:

36 A. A chemical abortion that is necessary to save the life of the patient whose life is  
37 endangered by a physical disorder, physical illness or physical injury, including a life-  
38 endangering physical condition; or

39 B. A patient upon whom a chemical abortion is performed. A patient under this  
40 paragraph also may not be prosecuted for conspiracy to violate this section.

