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Date: (Filing No. H-)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 98, L.D. 116, Bill, “An Act To Require a 24-hour Waiting Period prior to an Abortion”

Amend the bill in section 1 in subsection 2 by striking out all of the last paragraph (page 1, lines 26 to 28 in L.D.) and inserting the following:

'The attending physician may not perform an abortion upon a pregnant minor before 24 hours have passed since the physician has secured the informed written consent required under this subsection, unless there is a medical emergency.'

A physician other than the attending physician may obtain the informed written consent under paragraph A, B, C or D. The physician shall provide written certification of the date and time that the informed written consent was obtained under paragraph A, B, C or D, which the minor may provide to the attending physician to ensure that 24 hours have passed since the minor gave her informed written consent before the abortion is performed. The attending physician shall make the written certification part of the medical record.'

Amend the bill in section 3 by striking out all of subsection 1-A (page 2, lines 7 to 9 in L.D.) and inserting the following:

'1-A. Twenty-four-hour period. Except in the case of a medical emergency, a physician may not perform an abortion until 24 hours have passed after the woman gives her informed written consent under subsection 1.'

A physician other than the attending physician may inform the woman as provided in subsection 2 and then obtain the woman's informed written consent. The physician shall provide written certification of the date and time that the information required under subsection 2 was provided and the informed written consent was obtained, which the woman may provide to the attending physician to ensure that 24 hours have passed since she gave her informed written consent before the abortion is performed. The attending physician shall make the written certification part of the medical record.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary.

This amendment provides a pregnant minor or a pregnant woman the option of receiving the required information and counseling from a physician other than the physician who performs the abortion. The physician who provides the information or counseling and obtains informed written consent shall certify in writing the date and time of the providing of the information or counseling and the obtaining of the informed written consent. The written certification may be provided by the pregnant woman or pregnant minor to the attending physician, who shall make it part of the medical record. The informed written consent must still be obtained at least 24 hours before the abortion is performed, as required in the bill.

This amendment does not affect the medical emergency exception provided in the bill.