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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2341

02/16/2012 Authored by Peppin, Gottwalt, Hosch, Abeler, Shimanski and others
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
03/21/2012 Adoption of Report: Pass and re-referred to the Committee on Civil Law
03/26/2012 Adoption of Report: Pass and Read Second Time
04/18/2012 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate
04/23/2012 Passed by the Senate as Amended and returned to the House
04/26/2012 The House concurred in the Senate Amendments and repassed the bill as Amended

1.1 A bill for an act
1.2 relating to health; requiring a prescribing physician be physically present when
1.3 certain abortion-inducing drugs are administered; proposing coding for new
1.4 law in Minnesota Statutes, chapter 145.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[145.4233] ABORTION REGULATION; PHYSICAL PRESENCE**
1.7 **OF PHYSICIAN REQUIRED.**

1.8 Subdivision 1. **Definitions.** For purposes of this section, the following terms have
1.9 the meanings given:

1.10 (1) "Abortion" means the use or prescription of any instrument, medicine, drug,
1.11 or any other substance or device to terminate the pregnancy of a woman known to be
1.12 pregnant with an intention other than to increase the probability of a live birth, to preserve
1.13 the life or health of the child after live birth, or to remove a dead unborn child who died as
1.14 the result of natural causes in utero, accidental trauma, or a criminal assault on the pregnant
1.15 woman or her unborn child, and which causes the premature termination of the pregnancy.

1.16 (2) "Attempt to perform or induce an abortion" means an act, or an omission of
1.17 a statutorily required act, that, under the circumstances as the actor believes them to
1.18 be, constitutes a substantial step in a course of conduct planned to culminate in the
1.19 performance or induction of an abortion in this state in violation of this act.

1.20 (3) "Physician" means a person licensed to practice medicine in the state pursuant
1.21 to chapter 147.

1.22 Subd. 2. **Physician's physical presence required.** When RU-486 (mifepristone)
1.23 or any other drug or chemical is used for the purpose of inducing an abortion, the drug
1.24 or chemical must be administered in the same room and in the physical presence of the

2.1 physician who prescribed, dispensed, or otherwise provided the drug or chemical to the
2.2 patient. The physician inducing the abortion, or a person acting on behalf of the physician
2.3 inducing the abortion, shall make all reasonable efforts to ensure that the patient returns
2.4 12 to 18 days after the administration or use of RU-486 (mifepristone) or any other drug
2.5 or chemical for a follow-up visit so that the physician can confirm that the pregnancy has
2.6 been terminated and assess the patient's medical condition. A brief description of the
2.7 efforts made to comply with this subdivision, including the date, time, and identification by
2.8 name of the person making such efforts, shall be included in the patient's medical record.