

SESSION OF 2006

SUPPLEMENTAL NOTE ON SENATE BILL NO. 528

As Amended by House Committee of the Whole

Brief*

SB 528 would amend one statute that concerns records and reports of lawfully terminated pregnancies required to be made by medical care facilities and a statute that is a part of the Uniform Vital Statistics Act. The bill would create a new act setting out requirements to be met by any course, special event, seminar, or forum on pregnancy-related instruction.

The bill would require reports submitted by medical care facilities to add to the information currently required to be reported:

- Detailed reasons for the termination of a pregnancy past 22 weeks of gestation;
- Details disclosing specific fetal anomalies, including, but not limited to, diagnosis of Down's syndrome; and
- The referring physician when such physician is required to be reported by KSA 65-6703.

A vital records statute relating to birth certificates would be amended to require the Secretary of Health and Environment to design and promulgate a form for an attempted abortion resulting in a live birth showing:

- The mother's state of residence;
- The mother's age;
- The baby's anomalies, if any;
- The number of children to whom the mother has given birth; and
- The health outcomes of previous children.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The new statute that would be created by the bill sets out requirements to be met by any secondary school that receives public money whenever such institution offers a course, special event, seminar, or forum on human reproduction, human sexuality, or sex education which is the definition of “pregnancy-related instruction” in the bill. The pregnancy-related instruction would have to include:

- Information and materials that specifically address human fetal development and gestation, including a description of the anatomical and physiological characteristics of the fetus at four-week gestational increments from fertilization to full term;
- A description of all methods of abortion whenever the pregnancy-related instruction discusses abortion;
- Scientific information about the medical risks associated with each abortion procedure as well as information concerning fetal development at the time of each type of procedure;
- Information about the probable physical sensations or pain a fetus feels or detects or may feel or detect during the various abortion procedures; and
- Relevant information on the survival of the fetus if the fetus is not killed during the abortion procedure.

The method of implementing the provisions of the statute that would be created by the bill would be determined by the governing body of the institution. Parents or guardians of a child could choose to remove such child from instruction by notifying the school administration.

Background

At the Senate Committee hearing on the original SB 528, representatives of Kansans for Life and the Kansas Catholic Conference spoke in support of the bill, and representatives of ProKanDo and the American Civil Liberties Union spoke in opposition. A representative of the Department of Health and Environment presented information and responded to questions.

The House Committee on Health and Human Services amended the bill to remove a reporting requirement for the disability status of the pregnant female terminating a pregnancy. The Committee also amended the bill to remove the reporting requirements of disability of the mother from the form for an attempted abortion resulting in a live birth.

The House Committee of the Whole added a new section to the bill that would create legislation concerning pregnancy-related instruction.

The fiscal note on the introduced version of the bill indicates the bill would increase expenditures from the Civil Registration and Health Statistics Fee Fund by \$30,000 to change the web-based data entry form and the Department's data base. Any increase in expenditures would be in additions to amounts recommended in the *FY 2003 Governor's Budget Report*. The bill would also increase costs for medical facilities in which abortions are performed by requiring providers to test fetuses for anomalies. The fiscal effect on medical facilities is unknown.