

Abortion Reporting; HB 2749

HB 2749 amends reporting requirements for abortions performed in Kansas.

Reporting Requirements

The bill requires a written report of pregnancies lawfully terminated to be submitted by medical care facilities and persons licensed to practice medicine and surgery to the Secretary of Health and Environment (Secretary) on a biannual, rather than annual, basis.

Reporting Questions

The bill requires, except in the case of a medical emergency, each patient to be asked, prior to the termination of a pregnancy, to indicate the most important factor regarding the patient's reason for deciding to seek an abortion. The bill provides the following reasons as options to be offered:

- Having a baby would interfere with the patient's education, employment, or career;
- The patient cannot afford a child;
- The patient already has enough, or too many, children;
- The patient's husband or partner is abusive to the patient or their children;
- The patient's husband or partner wants the patient to have an abortion;
- The patient does not have enough support from family or others to raise a child;
- The pregnancy is the result of rape;
- The pregnancy is the result of incest;
- The pregnancy threatens the patient's physical health;
- The pregnancy threatens the patient's mental or emotional health; or
- The child would have a disability.

If the patient declines to answer, that response must be recorded.

The bill requires each report to include, for the period of time covered by the report, the number of times each of the reasons was described as the most important and the number of times a patient seeking an abortion was asked about the reasons and declined to answer.

Each report must also include:

- The patient's age in years on the patient's last birthday;
- The patient's marital status at the time of the abortion;
- The state or U.S. territory of residence of the patient or, if the patient is not a resident of the United States, the patient's country of residence;

- The patient’s race and, if applicable, the Hispanic origin of the patient;
- The highest level of education completed by the patient;
- Whether, in the 30 days prior to the abortion, the patient received services, financial assistance (excluding financial assistance in obtaining an abortion), or other assistance from a nonprofit organization that supports pregnant women;
- Whether the patient reported having experienced domestic violence in the 12 months prior to the abortion;
- Whether the patient is living in a place that the patient considers to be safe, stable, and affordable;
- Whether a report of physical, mental or emotional abuse, or neglect was made where the patient was the victim; and
- The method by which the abortion was performed on the patient.

Confidentiality and Disclosure

The bill extends the expiration of provisions related to confidentiality and disclosure of specified information obtained by the Secretary regarding abortion by one year, to July 1, 2029, unless the Legislature reviews and reenacts the provisions prior to that date.

Kansas Department of Health and Environment Reporting

The bill requires the public report on abortions performed in Kansas issued by the Secretary to be released on a biannual basis. The bill also requires the report to be issued no later than 30 days after the end of the reporting period for the information contained in the report.

Severability

The provisions of the bill are severable; if any provision, phrase, or clause or its application to any person or circumstance is found to be invalid, the remaining provisions, phrases, or clauses will remain effective.