Session of 2025

HOUSE BILL No. 2305

By Committee on Health and Human Services

Requested by Jeanne Gawdun on behalf of Kansans for Life

2-5

AN ACT concerning abortion; relating to health professions and practices; requiring that certain abortion complications be reported to the Kansas department of health and environment.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) As used in this section:

(1) "Abortion complication" means the following physical or psychological conditions arising from the induction or performance of an abortion:

(A) Uterine perforation;

(B) cervical laceration;

(C) infection;

(D) vaginal bleeding that qualifies as a grade 2 or higher adverse event according to the common terminology criteria for adverse events;

(E) pulmonary embolism;

(F) deep vein thrombosis;

(G) failure to terminate the pregnancy;

(H) incomplete abortion or retained tissue;

(I) pelvic inflammatory disease;

(J) missed ectopic pregnancy;

(K) cardiac arrest;

(L) respiratory arrest;

(M) renal failure;

(N) shock;

(O) amniotic fluid embolism;

(P) coma;

(Q) placenta previa in subsequent pregnancies;

(R) pre-term delivery in subsequent pregnancies;

(S) free fluid in the abdomen;

(T) hemolytic reaction due to the administration of ABO-incompatible blood or blood products;

(U) hypoglycemia occurring while the patient is being treated at the hospital or ambulatory outpatient surgical center;

(V) allergic reaction to anesthesia or abortion inducing drugs;

(W) psychological complications, including depression, suicidal

ideation, anxiety, and sleeping disorders;

(X) death; or

(Y) any other adverse event as defined by the criteria provided in the United States food and drug administration safety information and adverse events reporting program.

(2) "Healthcare provider" means:

(A) An individual licensed by the state board of healing arts to practice medicine and surgery;

(B) a "mid-level practitioner" as defined in K.S.A. 65-1626, and amendments thereto; or

(C) a licensee of the behavioral sciences regulatory board who has clinical diagnoses within such licensee's scope of practice.

(3) "Patient" means any woman who has been treated for an abortion-related complication subject to the reporting requirements of this section.

(b) Healthcare providers shall report to the Kansas department of health and environment each case in which the provider treated a patient suffering from an abortion complication.

(c) A report required by this section shall be submitted to the Kansas department of health and environment on a form and in a manner specified by the department. The department shall develop a process for submission of a report under this section prior to September 1, 2025.

(d) The report required under this section shall include the following information concerning the abortion complication:

(1) The date that the patient presented for treatment for the abortion complication.

(2) the age of the patient;

(3) the race of the patient;

(4) the county and state of the patient's residence;

(5) the type of abortion obtained by the patient;

(6) the date of abortion obtained by the patient;

(7) the name of the facility where the patient obtained the abortion;

(8) whether the patient obtained abortion medication via mail order or website, and if so, information identifying the source of the medication;

(9) whether the complication was previously managed by the abortion provider;

(10) the name of the medications taken by the patient as part of the pharmaceutical abortion regimen, if any;

(11) a list of each diagnosed complication;

(12) a list of each treated complication, with a description of the treatment provided;

(13) whether the patient's visit to treat the complications was the original visit or a follow-up visit;

(14) the date of each follow-up visit, if any;

(15) a list of each complication diagnosed at a follow-up visit, if any; and

(16) a list of each complication treated at a follow-up visit, if any.

(e) On a quarterly basis, the department of health and environment shall compile a public report summarizing the information collected under this section. The report shall include statistics for the previous calendar quarter with updated information for the most recent calendar quarter.

(f) The department of health and environment shall summarize the aggregate data from the data submitted under this section and submit the data on or before June 30 of each year to the United States centers for disease control and prevention for its inclusion in the annual vital statistics report.

(g) The department of health and environment shall ensure that no identifying information of a patient is included in the report described in subsection (f).

(h) On and after September 1, 2025, each failure to report an abortion complication as required under this section is a class B nonperson misdemeanor.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.