

As Amended by House Committee

Session of 2012

HOUSE BILL No. 2523

By Committee on Federal and State Affairs

1-24

1 AN ACT concerning ~~abortion~~ **medical care facilities; relating to**
2 **abortion; sterilization**; amending K.S.A. 65-443, **65-446 and 65-447**
3 and K.S.A. 2011 Supp. 65-444 and repealing the existing sections.

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

6 Section 1. K.S.A. 65-443 is hereby amended to read as follows: 65-
7 443. No person shall be required to perform, *refer for*, or participate in
8 medical procedures *or in the prescription or administration of any device*
9 *or drug* which result in the termination of a pregnancy *or an effect of*
10 *which the person reasonably believes may result in the termination of a*
11 *pregnancy*, and the refusal of any person to perform, *refer for*, or
12 participate in those medical procedures, *prescription or administration*
13 shall not be a basis for civil liability to any person. No ~~hospital, hospital~~
14 ~~health care facility, health~~ **medical care facility, medical care facility**
15 administrator or governing board of any ~~hospital~~ **health medical care**
16 **facility** shall terminate the employment of, prevent or impair the practice
17 or occupation of or impose any other sanction on any person because of
18 such person's ~~refusal to perform or participate in the termination of any~~
19 ~~human pregnancy~~ *exercise of rights protected by this section.*

20 Sec. 2. K.S.A. 2011 Supp. 65-444 is hereby amended to read as
21 follows: 65-444. No ~~hospital, hospital~~ ~~health care facility, health~~ **medical**
22 **care facility, medical care facility** administrator or governing board of
23 **any medical care facility** shall be required to permit *the performance,*
24 *referral for, or participation in medical procedures or in the prescription*
25 *or administration of any device or drug which result in the termination of*
26 *human pregnancies or an effect of which the* **medical care facility,**
27 *administrator or board reasonably believes may result in the termination*
28 *of human pregnancies* within its ~~institution~~ **facility** and the refusal to
29 permit such procedures *prescription or administration* shall not be grounds
30 for civil liability to any person. A ~~hospital~~ **medical care facility** may
31 establish criteria and procedures under which pregnancies may be
32 terminated within its institution, in addition to those which may be
33 prescribed by licensing, regulating or accrediting agencies.

34 **Sec. 3. K.S.A. 65-446 is hereby amended to read as follows: 65-**
35 **446. No person shall be required to perform, refer for or participate in**
36 **medical procedures which result in sterilization of a person, and the**

1 refusal of any person to perform, *refer for or participate in those*
2 **medical procedures shall not be a basis for civil liability to any person.**
3 ~~No hospital, hospital medical care facility, medical care facility~~
4 **administrator or governing board of any hospital medical care facility**
5 **shall terminate the employment of, prevent or impair the practice or**
6 **occupation of or impose any other sanction on any person because of**
7 ~~his refusal to perform or participate in such medical procedures such~~
8 ~~person's exercise of rights protected by this section.~~

9 **Sec. 4. K.S.A. 65-447 is hereby amended to read as follows: 65-**
10 **447. No hospital, hospital medical care facility, medical care facility**
11 **administrator, or governing board of any medical care facility shall be**
12 **required to permit the performance, referral for or participation in**
13 **medical procedures resulting in sterilization within its institution-**
14 **facility and the refusal to permit such procedures shall not be grounds**
15 **for civil liability to any person. A hospital medical care facility may**
16 **establish criteria and procedures under which sterilizations may be**
17 **performed within its institution, in addition to those which may be**
18 **prescribed by licensing, regulating or accrediting agencies.**

19 ~~Sec. 3. 5. K.S.A. 65-443, 65-446 and 65-447 and K.S.A. 2011 Supp.~~
20 ~~65-444 are hereby repealed.~~

21 ~~Sec. 4. 6. This act shall take effect and be in force from and after its~~
22 ~~publication in the statute book.~~

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