

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 2001 By: Laughlin of the Senate
3 and
4 Blackwell of the House
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8 (public health and safety - long term care
9 administrators -
10 effective date)
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13 AUTHORS: Remove Blackwell as Principal House Author and substitute
14 Johnson (Dennis) as Principal House Author and add the
15 following House Coauthors: Sullivan, Blackwell, Tibbs,
Kern, Peterson (Pam), Reynolds and Terrill

16 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
17 entire bill and insert

18 "An Act relating to public health and safety;
19 amending Section 12 of Enrolled Senate Bill No. 1878
20 of the 2nd Session of the 51st Oklahoma Legislature,
which relates to informed consent; clarifying
21 certain exception; and providing an effective date.
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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. AMENDATORY Section 12 of Enrolled Senate Bill
2 No. 1878 of the 2nd Session of the 51st Oklahoma Legislature, is
3 amended to read as follows:

4 Section 12. A. Any abortion provider who knowingly performs
5 any abortion shall comply with the requirements of this section.

6 B. In order for the woman to make an informed decision, at
7 least one (1) hour prior to a woman having any part of an abortion
8 performed or induced, and prior to the administration of any
9 anesthesia or medication in preparation for the abortion on the
10 woman, the physician who is to perform or induce the abortion, or
11 the certified technician working in conjunction with the physician,
12 shall:

13 1. Perform an obstetric ultrasound on the pregnant woman, using
14 either a vaginal transducer or an abdominal transducer, whichever
15 would display the embryo or fetus more clearly;

16 2. Provide a simultaneous explanation of what the ultrasound is
17 depicting;

18 3. Display the ultrasound images so that the pregnant woman may
19 view them;

20 4. Provide a medical description of the ultrasound images,
21 which shall include the dimensions of the embryo or fetus, the
22 presence of cardiac activity, if present and viewable, and the
23 presence of external members and internal organs, if present and
24 viewable; and

1 5. Obtain a written certification from the woman, prior to the
2 abortion, that the requirements of subsection B have been complied
3 with; and

4 6. Retain a copy of the written certification prescribed by
5 paragraph 5 of this subsection. The certification shall be placed
6 in the medical file of the woman and shall be kept by the abortion
7 provider for a period of not less than seven (7) years. If the
8 woman is a minor, then the certification shall be placed in the
9 medical file of the minor and kept for at least seven (7) years or
10 for five (5) years after the minor reaches the age of majority,
11 whichever is greater.

12 C. Nothing in this section shall be construed to prevent a
13 pregnant woman from averting her eyes from the ultrasound images
14 required to be provided to and reviewed with her. Neither the
15 physician nor the pregnant woman shall be subject to any penalty if
16 she refuses to look at the presented ultrasound images.

17 D. Upon a determination by an abortion provider that a medical
18 emergency, as defined in Section 1-738.1 of Title 63 of the Oklahoma
19 Statutes, exists with respect to a pregnant woman, subsection B of
20 this section shall not apply and the provider shall certify in
21 writing the specific medical conditions that constitute the
22 emergency. The certification shall be placed in the medical file of
23 the woman and shall be kept by the abortion provider for a period of
24 not less than seven (7) years. If the woman is a minor, then the

1 certification shall be placed in the medical file of the minor and
2 kept for at least seven (7) years or for five (5) years after the
3 minor reaches the age of majority, whichever is greater.

4 E. An abortion provider who willfully falsifies a certification
5 under subsection D of this section shall be subject to all penalties
6 provided for under Section 13 of ~~this act~~ Enrolled Senate Bill No.
7 1878 of the 2nd Session of the 51st Oklahoma Legislature.

8 SECTION 2. This act shall become effective November 1, 2008."

9 Passed the House of Representatives the 24th day of April, 2008.

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Presiding Officer of the House of
Representatives

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Passed the Senate the ____ day of _____, 2008.

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Presiding Officer of the Senate

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