

Bill Summary
2nd Session of the 58th Legislature

Bill No.:	SB 1167
Version:	INT
Request No.:	2612
Author:	Sen. Burns
Date:	01/04/2022

Bill Analysis

SB 1167 creates the Every Mother Matters Act. The measure provides that doctors must confirm a woman received a pre-abortion resource access assistance offer in addition to the informed consent requirements in current law. Confirmation will occur when the abortion provider confirms the unique identifying number generated by the State Department of Health system for the pregnant woman. Persons offering pre-abortion resource access assistance must be a counselor, doctor, psychologist, social worker, nurse, advanced practice registered nurse, community health worker, physician assistant, or marriage and family therapist. Alternatively, such a person may be supervised by one of the listed professionals. Such persons must also be authorized to contract with the State Department of Health, complete a training program relating to recognizing human trafficking indicators, and comply with state and federal privacy laws relating to medical records. No assistance provider may have served as an abortion provider or worked in such a facility within the last 2 years, nor shall such providers refer any person to an abortion facility.

Providers are directed by the measure to offer assistance at no cost to the pregnant woman, which shall include an assessment of eligibility for and offer of assistance in obtaining support services other than abortion for the woman or unborn child's biological father. Additionally, providers are to provide screening services relating to domestic and family violence as well as human trafficking. Any provider that finds evidence of coerced abortions or human trafficking may submit a written report to appropriate law enforcement agencies with the woman's consent or, failing to obtain consent, advise the pregnant woman on methods to report the human trafficking or coerced abortion violations.

Before an abortion may proceed, the abortion provider shall confirm the receipt of pre-abortion resource access assistance using the unique identifying case number generated by the State Department of Health. Once confirmed, the case number shall be placed in the woman's medical record and kept by the facility for a period of not less than 7 years. If the woman is a minor at the time of the abortion, the records shall be kept for at least 7 years or when the woman turns 21 years of age, whichever comes first.

Finally, the measure directs the State Commissioner of Health to promulgate rules necessary to implement the provisions of this measure. The Department is required to contract with one or more contracting agencies that employ care agents throughout this state to provide the pre-abortion resource access assistance offer and assistance in obtaining support services no later than July 1, 2023.

Prepared by: Kalen Taylor