

2023 Kansas Statutes

65-6758. Annual reports by medical care facilities; contents; penalty for failure to file. (a) Each medical care facility in which an infant is born alive subsequent to an abortion or attempted abortion performed on the mother of the infant shall submit an annual report to the secretary of health and environment on the number of such infants in such form and manner as prescribed by the secretary. Such report shall include:

(1) The approximate gestational age of the infant who was born alive expressed in one of the following increments:

- (A) Less than nine weeks;
- (B) nine to 10 weeks;
- (C) 11 to 12 weeks;
- (D) 13 to 15 weeks;
- (E) 16 to 20 weeks;
- (F) 21 to 24 weeks;
- (G) 25 to 30 weeks;
- (H) 31 to 36 weeks; or
- (I) 37 weeks to term;

(2) any medical actions taken to preserve the life of the infant who was born alive;

(3) the outcome for such infants, including survival, death and location of death, such as a clinic, hospital or ambulance, if known; and

(4) the medical conditions of infants who were born alive, including conditions developed prior to and after the attempted abortion.

(b) The secretary may impose a civil fine in any amount not to exceed \$500 on any medical care facility that fails to submit the required report within 30 days after the date such report is due to be submitted to the secretary. The secretary may impose an additional civil fine in an amount not to exceed \$500 for each additional 30-day period that such medical care facility fails to submit the required report. If a medical care facility fails to submit a required report for more than one year following the date that such report is due to be submitted to the secretary, or submits an incomplete report during such time period and fails to correct the deficiencies in such report, the secretary may bring a civil action for an injunction to compel such medical care facility to submit the required report.

History: L. 2023, ch. 85, § 8; July 1.