

Senate Substitute for HOUSE BILL No. 2228

By Committee on Federal and State Affairs

5-13

1 AN ACT concerning abortion; relating to the administration of
2 abortifacient drugs; amending K.S.A. 2014 Supp. 65-4a10 and
3 repealing the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 65-4a10 is hereby amended to read as
7 follows: 65-4a10. (a) No abortion shall be performed or induced by any
8 person other than a physician licensed to practice medicine in the state of
9 Kansas.

10 (b) (1) ~~Except as provided in subsection (b)(2),~~ **in the case of an**
11 **abortion performed in a hospital through inducing labor: (A)** when RU-
12 486 (mifepristone) ~~or any drug~~ is used for the purpose of inducing an
13 abortion, the drug ~~must~~ **shall initially** be administered by or in the same
14 room and in the physical presence of the physician who prescribed,
15 dispensed or otherwise provided the drug to the patient; **and (B) when any**
16 **other drug is used for the purpose of inducing an abortion, the drug or**
17 **the prescription for such drug shall be given to the patient by or in the**
18 **same room and in the physical presence of the physician who prescribed,**
19 **dispensed or otherwise provided the drug or prescription to the patient.**

20 ~~(2) When a drug is administered in a hospital through the use of an~~
21 ~~intravenous drip chamber or through intravenous intermittent infusion~~
22 ~~and the administration of such drug results in inducing an abortion,~~
23 ~~whether intentionally or unintentionally, the prescription for such drug~~
24 ~~shall be given to the patient in the same room and in the physical presence~~
25 ~~of the physician prescribing such drug to the patient.~~

26 ~~(3)~~ *The provisions of this subsection shall not apply in the case of a*
27 *medical emergency.*

28 ~~(b)(c)~~ The physician inducing the abortion, or a person acting on
29 behalf of the physician inducing the abortion, shall make all reasonable
30 efforts to ensure that the patient returns 12 to 18 days after the
31 administration or use of such drug for a subsequent examination so that the
32 physician can confirm that the pregnancy has been terminated and assess
33 the patient's medical condition. A brief description of the efforts made to
34 comply with this subsection, including the date, time and identification by
35 name of the person making such efforts, shall be included in the patient's
36 medical record.

1 ~~(e)~~*(d)* A violation of this section shall constitute unprofessional
2 conduct under K.S.A. 65-2837, and amendments thereto.

3 Sec. 2. K.S.A. 2014 Supp. 65-4a10 is hereby repealed.

4 Sec. 3. This act shall take effect and be in force from and after its
5 publication in the Kansas register.