

SESSION OF 2006

**SECOND CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 528**

As Agreed to May 1, 2006

**Brief\***

SB 528, if enacted, would amend one statute that concerns records and reports of lawfully terminated pregnancies required to be made by medical care facilities and a statute that is a part of the Uniform Vital Statistics Act.

The bill would require reports submitted by medical care facilities to add to the information currently required to be reported:

- Detailed reasons for the termination of a pregnancy past 22 weeks of gestation;
- Details disclosing specific fetal anomalies; and
- The identity of the referring physician when such physician is required to be reported by KSA 65-6703.

A vital records statute relating to birth certificates would be amended to require the Secretary of Health and Environment to design and promulgate a form for an attempted abortion resulting in a live birth and to provide copies of the form to all relevant parties. The form would be required to show:

- The mother's state of residence;
- The mother's age;
- The baby's anomalies, if any determined at birth or diagnosed in utero;
- The number of children to whom the mother has given birth; and

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

- The health outcomes of previous children.

### **Conference Committee Action**

The Senate conferees agreed to the House Committee amendments to the bill, and the House and Senate conferees agreed to further amend the bill by deleting all of the phrase “including, but not limited to, diagnosis of Downs syndrome that were made about the fetus” in paragraph 2, subsection (c) of Section 1. (See lines 2, 3, and 4 on page 2 of the bill as printed with the House Committee of the Whole amendments.)

The House and Senate conferees agreed to recede from the amendment made in the House Committee of the Whole (New Section 3 of SB 528 as amended by the House Committee of the Whole).

### **Background**

At the Senate Committee hearing on SB 528 as introduced, representatives of Kansans for Life and the Kansas Catholic Conference spoke in support of the bill, and representatives of ProKanDo and the American Civil Liberties Union spoke in opposition. A representative of the Department of Health and Environment presented information and responded to questions.

The House Committee on Health and Human Services amended the bill to remove a reporting requirement on the disability status of the pregnant female terminating a pregnancy. The Committee amendments also deleted reporting requirements about any disability of the mother from the form relating to an attempted abortion resulting in a live birth.

The House Committee of the Whole added a new section to the bill that would create legislation concerning pregnancy-related instruction.

The Conference Committee receded from the amendment added to SB 528 in the House Committee of the Whole.

The fiscal note on the introduced version of the bill indicates the bill would increase expenditures from the Civil Registration and Health Statistics Fee Fund by \$30,000 to change the web-based data entry

form and the Department's data base. Any increase in expenditures would be in addition to amounts recommended in the *FY 2003 Governor's Budget Report*. The bill would also increase costs for medical facilities in which abortions are performed by requiring providers to test fetuses for anomalies. The fiscal effect on medical facilities is unknown.

abortion; vital records