

BILL ANALYSIS

H.B. 1469
By: Corte
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the 78th Legislature, House Bill 15 was passed to provide informed consent for women seeking a pregnancy termination in the state. During the rule-making process, the Department of State Health Services (DSHS) passed two rules that did not comply with the intent of the legislation. First, the rules do not require that women be provided the written materials prior to certifying in writing that she has been informed of her opportunity to review the material. Second, the legislation required that a physician inform a woman orally by telephone or in person certain information with the intention that a patient would meet one-on-one with the physician performing the procedure. The DSHS interpreted the statute to mean that the information could be provided by audio or video recording.

House Bill 1469 would amend Chapter 171 of the Health and Safety Code to ensure that women seeking a pregnancy termination be provided information in person, not by audio or video recording, and that the printed materials be provided for each patient.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Amends Chapter 171 of the Health and Safety Code to require that women seeking a pregnancy termination be provided information in person and that the printed materials be provided for each patient; prohibits providing this information by audio or video recording.

EFFECTIVE DATE

September 1, 2005