

By: Zedler

H.B. No. 1131

A BILL TO BE ENTITLED

AN ACT

relating to a physician's report of a complication resulting from an elective termination or attempted elective termination of pregnancy.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 170, Health and Safety Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. REPORTING OF COMPLICATIONS

Sec. 170.051. REPORTING REQUIREMENTS. (a) Each physician who provides medical care or treatment to a woman with a complication that the physician determines, in the physician's good faith judgment, results from an elective termination or attempted elective termination of pregnancy shall file a report with the department.

(b) The report must be submitted not later than the 30th day after the date the physician first examined the woman with respect to the complication.

(c) The department shall maintain a toll-free telephone number a physician may use to submit the report required by this section.

Sec. 170.052. REPORT. The report required by Section 170.051 must include the following information, if known:

(1) the date of birth of the patient;

(2) the name of the facility in which the elective

1 termination of pregnancy was performed;

2 (3) the date the elective termination of pregnancy was
3 performed;

4 (4) the nature of the complication;

5 (5) the name of the attending physician; and

6 (6) other information the department requires.

7 Sec. 170.053. RULES. The executive commissioner of the
8 Health and Human Services Commission may adopt rules as necessary
9 to administer this subchapter.

10 Sec. 170.054. CONFIDENTIAL INFORMATION. All information
11 held by the department under this subchapter is confidential and
12 not subject to disclosure under Chapter 552, Government Code. The
13 information may not be released or made public on subpoena or
14 otherwise, except that release may be made:

15 (1) for statistical purposes, but only if a person,
16 patient, physician, or facility is not identified;

17 (2) with the consent of each person, patient,
18 physician, and facility identified in the information released;

19 (3) to appropriate state licensing boards to enforce
20 state licensing laws; or

21 (4) to appropriate federal agencies.

22 Sec. 170.055. SANCTION. A physician who intentionally
23 violates this subchapter or a rule adopted under this subchapter is
24 subject to sanction by the Texas Medical Board under Subchapter A,
25 Chapter 165, Occupations Code, as if the physician violated
26 Subtitle B, Title 3, Occupations Code.

27 SECTION 2. Sections 170.001 and 170.002, Health and Safety

Code, are designated as Subchapter A, Chapter 170, Health and Safety Code, and a heading for Subchapter A is added to read as follows:

SUBCHAPTER A. PROHIBITED ACTS RELATING TO ABORTION

SECTION 3. The chapter heading to Chapter 170, Health and Safety Code, is amended to read as follows:

CHAPTER 170. [~~PROHIBITED ACTS REGARDING~~] ABORTION: PROHIBITED ACTS AND REPORTING REQUIREMENTS

SECTION 4. This Act applies only to an elective termination or attempted elective termination of pregnancy performed on or after January 1, 2008.

SECTION 5. This Act takes effect September 1, 2007.