

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1198
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Health & Human Services
4/17/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many women suffer from minor to severe medical complications as a result of surgical procedures, including abortions. Women who choose to have an abortion should receive the same standard of care any other individual in Texas receives, regardless of the surgical procedure performed.

C.S.S.B. 1198 seeks to increase the health and safety of a woman who chooses to have an abortion by requiring a physician performing or inducing an abortion to have admitting privileges at a hospital and to provide certain information to the woman.

C.S.S.B. 1198 amends current law relating to requirements for physicians who perform abortions, and creates an offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 171, Health and Safety Code, by adding Section 171.0031, as follows:

Sec. 171.0031. REQUIREMENTS OF PHYSICIAN; OFFENSE. (a) Requires a physician performing or inducing an abortion to:

(1) on the date the abortion is performed, have active admitting privileges at a hospital that is located not further than 30 miles from the location at which the abortion is performed or induced, and provides obstetrical or gynecological health care services; and

(2) provide the pregnant woman with a telephone number by which the pregnant woman may reach the physician, or other health care personnel employed by the physician or by the facility at which the abortion was performed with access to the woman's relevant medical records, 24 hours a day to request assistance for any complications that arise from the performance of the abortion or ask health-related questions regarding the abortion; and the name and telephone number of the nearest hospital to the home of the pregnant woman at which an emergency arising from the abortion would be treated.

(b) Provides that a physician who violates Subsection (a) commits an offense. Provides that an offense under this section is a Class A misdemeanor punishable by a fine only, not to exceed \$4,000.

SECTION 2. Effective date: September 1, 2013.