

By: Schaefer

H.B. No. 2308

A BILL TO BE ENTITLED

AN ACT

relating to facility reporting requirements for an abortion performed at an abortion facility.

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

SECTION 1. Chapter 171, Health and Safety Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. ABORTION FACILITY PHYSICIAN REPORTING REQUIREMENTS

Sec. 171.051. PHYSICIAN REPORTING REQUIREMENTS. (a) A physician who performs an abortion at an abortion facility licensed under Chapter 245 must complete and submit to the department a monthly report on each abortion performed by the physician at the facility. The report must be submitted on a form provided by the department.

(b) The report may not identify by any means the patient undergoing the abortion.

(c) The report must include the information described by Section 245.011(c).

(d) Not later than the 15th day of each month, a physician shall submit by any means in which the receipt may be acknowledged by the department the physician report required by this section for each abortion performed by the physician at an abortion facility in the preceding calendar month.

Sec. 171.052. PENALTIES. (a) The commissioner of state health services may assess an administrative penalty against a

1 physician who fails to submit the physician report required by  
2 Section 171.051 in the time specified under that section. The  
3 amount of the penalty is \$1,000 for the first 30-day period or  
4 portion of a 30-day period the report remains overdue, \$2,500 for  
5 the second 30-day period, and \$5,000 for each 30-day period  
6 thereafter.

7       (b) The commissioner of state health services shall bring an  
8 action against a physician who fails to file the report required by  
9 Section 171.051 on or before six months after the date the report  
10 was due to compel the physician to submit a complete report in the  
11 time ordered by the court or be subject to sanctions for civil  
12 contempt.

13       SECTION 2. This Act takes effect September 1, 2013.