

By: Burkett, Bonnen of Galveston, Fallon,
Farney, et al.

H.B. No. 2816

Substitute the following for H.B. No. 2816:

By: Harless

C.S.H.B. No. 2816

A BILL TO BE ENTITLED

AN ACT

relating to requirements for physicians who perform abortions;
creating an offense.

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

SECTION 1. Subchapter A, Chapter 171, Health and Safety
Code, is amended by adding Section 171.0031 to read as follows:

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

(1) must, on the date the abortion is performed, have
active admitting privileges at a hospital that:

(A) is located not further than 30 miles from the
location at which the abortion is performed or induced; and

(B) provides obstetrical or gynecological health
care services;

(2) shall provide the patient with:

(A) a telephone number by which the patient may,
for 30 days following the procedure, 24 hours a day, reach the
physician, health care personnel employed by the physician, or
personnel employed by the facility at which the abortion was
performed who have access to the patient's relevant medical records
to request assistance for any complications that arise from the
performance of the abortion; and

(B) the name and telephone number of the nearest
hospital to the home of the patient at which an emergency arising

1 from the abortion would be treated; and

2 (3) shall maintain the patient's medical records in
3 accordance with rules adopted by the Texas Medical Board.

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

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