

BILL ANALYSIS

Senate Research Center

S.B. 1439
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Until recently, most obstetrics and gynecology (OBGYN) training programs had an "opt-in" option for abortion training. However, there has been a gradual shift from an "opt-in" model of abortion training provision to an "opt-out" model. There is no other specialty where the Accreditation Council for Graduate Medical Education (ACGME) requires residents to train in an elective and extremely controversial procedure in order to become board certified.

S.B. 1439 will take Texas back to an "opt-in" option for abortion training by amending Chapter 103, Occupations Code, to require written consent from a physician, intern, or resident at an educational institution before participating in an elective abortion procedure. S.B. 1439 cannot be construed to prohibit a physician, intern, or resident from attending or viewing or an educational institution from providing lectures and course materials on the performance of an abortion.

As proposed, S.B. 1439 amends current law relating to required written consent of a physician, intern, or resident at an educational institution before directly or indirectly performing or participating in an elective abortion.

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 Chapter 103, Occupations Code, by adding Section 103.0015, as follows:

Sec. 103.0015. OPT IN REQUIRED. (a) Prohibits a physician, intern, or resident at an educational institution from being scheduled for or assigned to duties involving directly or indirectly performing or participating in an elective abortion procedure unless the physician, intern, or resident first affirmatively consents in writing to perform or participate in the procedure.

SECTION 2. Effective date: September 1, 2021.