

By: Bowers

H.B. No. 1986

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the regulation of abortion, including abortion
3 complication reporting and the repeal of certain laws prohibiting
4 abortion.

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

6 SECTION 1. Sections 171.006(a) and (b), Health and Safety
7 Code, as added by Chapter 4 (H.B. 13), Acts of the 85th Legislature,
8 1st Called Session, 2017, are amended to read as follows:

9 (a) In this section, "abortion complication" means any
10 harmful event or adverse outcome with respect to a patient related
11 to an abortion that is performed on the patient and that is
12 diagnosed or treated by a health care practitioner or at a health
13 care facility and includes:

- 14 (1) shock;
- 15 (2) uterine perforation;
- 16 (3) cervical laceration;
- 17 (4) hemorrhage;
- 18 (5) aspiration or allergic response;
- 19 (6) infection;
- 20 (7) sepsis;
- 21 (8) death of the patient;
- 22 (9) incomplete abortion;
- 23 (10) damage to the uterus; or
- 24 (11) an infant born alive after the abortion

1 (b) The reporting requirements of this section apply only
2 to:

3 (1) a physician who:

4 (A) performs at an abortion facility an abortion
5 that results in an abortion complication diagnosed or treated by
6 that physician; or

7 (B) diagnoses or treats at an abortion facility
8 an abortion complication that is the result of an abortion
9 performed by another physician at the facility; or

10 (2) a health care facility that is a hospital,
11 abortion facility, freestanding emergency medical care facility,
12 or health care facility that provides emergency medical care, as
13 defined by Section 773.003.

14 SECTION 2. Section 171.061, Health and Safety Code, is
15 amended by adding Subdivision (3) and amending Subdivision (8-a) to
16 read as follows:

17 (3) "Final printed label" means the informational
18 document approved by the United States Food and Drug Administration
19 for an abortion-inducing drug that:

20 (A) outlines the protocol authorized by that
21 agency and agreed to by the drug company applying for authorization
22 of the drug by that agency; and

23 (B) delineates the manner in which a drug is to be
24 used according to approval by that agency.

25 (8-a) "Provide" means, as used with regard to
26 abortion-inducing drugs, any act of giving, selling, dispensing,
27 administering, or otherwise providing or prescribing an

1 abortion-inducing drug.

2 SECTION 3. Section 171.063, Health and Safety Code, is
3 amended by amending Subsections (a), (c), and (e) and adding
4 Subsection (b) to read as follows:

5 (a) A person may not knowingly provide an abortion-inducing
6 drug to a pregnant woman for the purpose of inducing an abortion in
7 the pregnant woman or enabling another person to induce an abortion
8 in the pregnant woman unless:

9 (1) the person who provides the abortion-inducing drug
10 is a physician; and

11 (2) except as otherwise provided by Subsection (b),
12 the provision of the abortion-inducing drug satisfies the protocol
13 tested and authorized by the United States Food and Drug
14 Administration as outlined in the final printed label of the
15 abortion-inducing drug.

16 (b) A person may provide the abortion-inducing drug in the
17 dosage amount prescribed by the clinical management guidelines
18 defined by the American College of Obstetricians and Gynecologists
19 Practice Bulletin as those guidelines existed on January 1, 2013.

20 (c) Before the physician provides an abortion-inducing
21 drug, the physician must:

22 (1) examine the pregnant woman; and

23 (2) document, in the woman's medical record, the
24 gestational age and intrauterine location of the pregnancy

25 (d) A physician who provides the abortion-inducing drug, or
26 the physician's agent, must schedule a follow-up visit for the
27 woman to occur not later than the 14th day after the administration

1 or use of the abortion-inducing drug. At the follow-up visit, the
2 physician must:

3 (1) confirm that the woman's pregnancy is completely
4 terminated; and

5 (2) assess any continued blood loss.

6 SECTION 4. Section 171.206(b), Health and Safety Code, is
7 amended to read as follows:

8 (a) This subchapter may not be construed to:

9 (1) authorize the initiation of a cause of action
10 against or the prosecution of a woman on whom an abortion is
11 performed or induced or attempted to be performed or induced in
12 violation of this subchapter;

13 (2) wholly or partly repeal, either expressly or by
14 implication, any other statute that regulates or prohibits
15 abortion; or

16 (3) restrict a political subdivision from regulating
17 or prohibiting abortion in a manner that is at least as stringent as
18 the laws of this state.

19 SECTION 5. Section 171.207(b), Health and Safety Code, is
20 amended to read as follows:

21 (a) Subsection (a) may not be construed to:

22 (1) legalize the conduct prohibited by this
23 subchapter;

24 (2) limit in any way or affect the availability of a
25 remedy established by Section 171.208; or

26 (3) limit the enforceability of any other laws that
27 regulate or prohibit abortion.

1 SECTION 6. The following provisions are repealed:

- 2 (1) Chapter 170A, Health and Safety Code;
- 3 (2) Section 171.061(2-a), Health and Safety Code;
- 4 (3) Section 171.063(b-1), Health and Safety Code;
- 5 (4) Section 171.0631, Health and Safety Code;
- 6 (5) Section 171.0632, Health and Safety Code;
- 7 (6) Section 171.065, Health and Safety Code;
- 8 (7) Section 171.066, Health and Safety Code; and
- 9 (8) Chapter 6-1/2, Title 71, Revised Statutes.

10 SECTION 7. This Act takes effect September 1, 2025.