



General Assembly

Amendment

January Session, 2025

LCO No. 7683



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Offered by:

REP. MASTROFRANCESCO, 80th Dist.

To: Subst. House Bill No. 7213

File No. 688

Cal. No. 428

"AN ACT CONCERNING ACCESS TO REPRODUCTIVE HEALTH CARE."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 19a-601 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) Prior to the performance of an abortion upon a minor, a physician
6 or counselor shall provide pregnancy information and counseling in
7 accordance with this section in a manner and language that will be
8 understood by the minor. The physician or counselor shall:

9 (1) Explain that the information being given to the minor is being
10 given objectively and is not intended to coerce, persuade or induce the
11 minor to choose to have an abortion or to carry the pregnancy to term;

12 (2) Explain that the minor may withdraw a decision to have an
13 abortion at any time before the abortion is performed or may reconsider

14 a decision not to have an abortion at any time within the time period
15 during which an abortion may legally be performed;

16 (3) Explain to the minor the alternative choices available for
17 managing the pregnancy, including: (A) Carrying the pregnancy to term
18 and keeping the child, (B) carrying the pregnancy to term and placing
19 the child for adoption, placing the child with a relative or obtaining
20 voluntary foster care for the child, and (C) having an abortion, and
21 explain that public and private agencies are available to assist the minor
22 with whichever alternative she chooses and that a list of these agencies
23 and the services available from each will be provided if the minor
24 requests;

25 (4) Explain that public and private agencies are available to provide
26 birth control information and that a list of these agencies and the
27 services available from each will be provided if the minor requests;

28 [(5) Discuss the possibility of involving the minor's parents, guardian
29 or other adult family members in the minor's decision-making
30 concerning the pregnancy and whether the minor believes that
31 involvement would be in the minor's best interests; and]

32 (5) Explain and carry out the following notification procedures to
33 parents, legal guardians or others:

34 (A) Except as provided in subparagraph (B) of this subdivision, notice
35 shall be provided to at least one parent or legal guardian of a pregnant
36 unemancipated minor not less than forty-eight hours prior to the
37 performance of an abortion upon such minor. Such notice may be
38 provided by the physician or counselor providing information and
39 counseling; and

40 (B) If a pregnant unemancipated minor declares in a signed written
41 statement that she is a victim of sexual abuse, neglect or physical abuse
42 by either of her parents or her legal guardian, the physician or counselor
43 providing counseling shall provide the notice required pursuant to
44 subparagraph (A) of this subdivision to such minor's brother or sister

45 who is aged twenty-one years or older or a stepparent or grandparent
46 specified by such minor or, if no such person exists, to some other
47 person who is aged twenty-one years or older specified by such minor;
48 and

49 (6) Provide adequate opportunity for the minor to ask any questions
50 concerning the pregnancy, abortion, child care and adoption, and
51 provide information the minor seeks or, if the person cannot provide the
52 information, indicate where the minor can receive the information.

53 (b) After the person provides the information and counseling to a
54 minor as required by this section, such person shall have the minor sign
55 and date a form stating that:

56 (1) The minor has received information on alternatives to abortion
57 and that there are agencies that will provide assistance and that a list of
58 these agencies and the services available from each will be provided if
59 the minor requests;

60 (2) The minor has received an explanation that the minor may
61 withdraw an abortion decision or reconsider a decision to carry a
62 pregnancy to term;

63 (3) The alternatives available for managing the pregnancy have been
64 explained to the minor;

65 (4) The minor has received an explanation about agencies available
66 to provide birth control information and that a list of these agencies and
67 the services available from each will be provided if the minor requests;

68 (5) The minor has [discussed with the person providing the
69 information and counseling the possibility of involving the minor's
70 parents, guardian or other adult family members in the minor's
71 decision-making about the pregnancy] received an explanation of the
72 parental notification requirements pursuant to subdivision (5) of
73 subsection (a) of this section;

74 (6) If applicable, the minor has determined that not involving the
75 minor's parents, guardian or other adult family members is in the
76 minor's best interests; and

77 (7) The minor has been given an adequate opportunity to ask
78 questions.

79 (c) The person providing the information and counseling shall also
80 sign and date the form and shall include such person's business address
81 and business telephone number. The person shall keep a copy for such
82 minor's medical record and shall give the form to the minor or, if the
83 minor requests and if such person is not the attending physician,
84 transmit the form to the minor's attending physician. Such medical
85 record shall be maintained as otherwise provided by law.

86 (d) The provision of pregnancy information and counseling by a
87 physician or counselor which is evidenced in writing containing the
88 information and statements provided in this section and which is signed
89 by the minor shall be presumed to be evidence of compliance with the
90 requirements of this section.

91 (e) (1) No physician shall perform an abortion upon a minor until the
92 written statement required pursuant to subparagraph (A) of subdivision
93 (5) of subsection (a) of this section, certifying that the physician or
94 counselor providing the information and counseling under subsection
95 (a) of this section has provided notice to at least one parent or legal
96 guardian of such minor is received. If the physician performing the
97 abortion receives a signed statement pursuant to subparagraph (B) of
98 subdivision (5) of subsection (a) of this section, such physician shall
99 certify in the minor's medical record that such physician has received
100 such statement. Any physician relying in good faith on such statement
101 shall not be civilly or criminally liable for failure to give the notice
102 required pursuant to subparagraph (A) of subdivision (5) of subsection
103 (a) of this section.

104 (2) The minor may petition a court for a waiver of the notice

105 requirements pursuant to subdivision (5) of subsection (a) of this section
106 and may participate in proceedings on her own behalf. The petition shall
107 include a statement that the minor is pregnant and unemancipated. The
108 petition shall also include a statement that such notice requirements
109 have not been waived by the parent or legal guardian and that the minor
110 wishes to obtain an abortion without giving such required notification.
111 The court shall appoint a guardian for the minor.

112 (A) If the court finds, by a preponderance of the evidence, that the
113 minor is both sufficiently mature and well-informed to decide whether
114 to have an abortion, the court shall issue an order authorizing the minor
115 to consent to the performance of an abortion without such required
116 notification. If the court does not make the finding specified in this
117 subparagraph or in subparagraph (B) of this subdivision, it shall dismiss
118 the petition.

119 (B) If the court finds, by a preponderance of the evidence, that there
120 is a pattern of physical, sexual or emotional abuse of the minor by one
121 or both of her parents or her legal guardian, or that the notification of a
122 parent or legal guardian is not in the best interest of the minor, the court
123 shall issue an order authorizing the minor to consent to the performance
124 of an abortion without such required notification. If the court does not
125 make the finding specified in this subparagraph or in subparagraph (A)
126 of this subdivision, it shall dismiss the petition.

127 ~~[(e)]~~ (f) The requirements of this section shall not apply when, in the
128 best medical judgment of the physician based on the facts of the case
129 before him, a medical emergency exists that so complicates the
130 pregnancy or the health, safety or well-being of the minor as to require
131 an immediate abortion. A physician who does not comply with the
132 requirements of this section by reason of this exception shall state in the
133 medical record of the abortion the medical indications on which his
134 judgment was based."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	19a-601