

HOUSE BILL No. 2749

By Committee on Health and Human Services

Requested by Representative Bryce on behalf of Kansans for Life

2-7

1 AN ACT concerning abortion; relating to reports on abortions performed
2 in this state; requiring the reporting of the reasons for each abortion
3 performed at a medical care facility or by a healthcare provider;
4 amending K.S.A. 2023 Supp. 65-445 and repealing the existing section.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2023 Supp. 65-445 is hereby amended to read as
8 follows: 65-445. (a) Every medical care facility shall keep written records
9 of all pregnancies that are lawfully terminated within such medical care
10 facility and shall ~~annually~~ submit a written report thereon *biannually* to the
11 secretary of health and environment in the manner and form prescribed by
12 the secretary. Every person licensed to practice medicine and surgery shall
13 keep a record of all pregnancies that are lawfully terminated by such
14 person in a location other than a medical care facility and shall ~~annually~~
15 submit a written report thereon *biannually* to the secretary of health and
16 environment in the manner and form prescribed by the secretary.

17 (b) Each report required by this section shall include the number of
18 pregnancies terminated during the period of time covered by the report, the
19 type of medical facility in which the pregnancy was terminated,
20 information required to be reported under K.S.A. 65-6703(b) and (c), 65-
21 6705(j), 65-6721(c) and 65-6724, and amendments thereto, if applicable to
22 the pregnancy terminated, information required to be reported under
23 K.S.A. 2023 Supp. 65-6758, and amendments thereto, and such other
24 information as may be required by the secretary of health and
25 environment. ~~but~~ The report shall not include the names of the persons
26 whose pregnancies were so terminated or upon whom an attempted
27 abortion was performed. Each report required by K.S.A. 65-6703(b) and
28 (c), 65-6705(j) and 65-6721(c), and amendments thereto, shall specify the
29 medical diagnosis and condition constituting a substantial and irreversible
30 impairment of a major bodily function or the medical diagnosis and
31 condition that necessitated performance of an abortion to preserve the life
32 of the pregnant woman. Each report required by K.S.A. 65-6703, and
33 amendments thereto, shall include a sworn statement by the physician
34 performing the abortion and the referring physician that such physicians
35 are not legally or financially affiliated.

Proposed Amendment to HB 2749
For Senate Committee on Public Health and
Welfare
Office of Revisor of Statutes
March 21, 2024

1 (c) ~~Except in the case of a medical emergency, as defined in K.S.A.~~
2 ~~65-6701, and amendments thereto, each pregnant woman shall be asked,~~
3 ~~prior to the termination of such woman's pregnancy, which of the~~
4 ~~following reasons was the most important factor in such woman's decision~~
5 ~~to seek an abortion and, if more than one reason was relevant, which was~~
6 ~~the second most important and which was the third most important:~~
7 ~~(1) Having a baby would interfere with the woman's education;~~
8 ~~(2) having a baby would interfere with the woman's employment or~~
9 ~~career;~~
10 ~~(3) the woman cannot afford the child;~~
11 ~~(4) the woman does not feel mature enough to raise a child or, if~~
12 ~~applicable, an additional child;~~
13 ~~(5) the woman already has enough, or too many, children;~~
14 ~~(6) the woman's husband or partner is abusive to such woman or~~
15 ~~such woman's children;~~
16 ~~(7) the woman's husband or partner wants such woman to have an~~
17 ~~abortion;~~
18 ~~(8) the woman's parent or parents want such woman to have an~~
19 ~~abortion;~~
20 ~~(9) the woman does not have enough support from family or others to~~
21 ~~raise a child;~~
22 ~~(10) the woman does not want others to know that such woman had~~
23 ~~sexual intercourse or became pregnant;~~
24 ~~(11) the woman fears that such woman would neglect or abuse an~~
25 ~~unwanted child;~~
26 ~~(12) the pregnancy is the result of rape;~~
27 ~~(13) the pregnancy is the result of incest;~~
28 ~~(14) the pregnancy threatens the woman's physical health;~~
29 ~~(15) the pregnancy threatens the woman's mental or emotional~~
30 ~~health; or~~
31 ~~(16) the child would have a disability.~~
32 ~~If the woman declines to answer, such response shall be recorded.~~
33 (d) Each report required by this section shall include, for the period
34 of time covered by the report:
35 (1) The number of times each of the reasons listed in subsection (c)
36 was described as the most important, the second most important and the
37 third most important; and
38 (2) the number of times a pregnant woman seeking an abortion was
39 asked about the reasons listed in subsection (c) and declined to answer.
40 (e) Each report required by this section shall include:
41 (1) The patient's age in years on the patient's last birthday;
42 (2) the patient's marital status at the time of the abortion;
43 (3) the state or United States territory of residence of the patient or, if

re-designating (1) - (16) as
(A) - (O)

(2) The individual asking any question in paragraph (1) shall inform the pregnant woman of such woman's right to decline to answer such questions. Any form presented asking the question in paragraph (1) shall contain an option to decline to participate in the survey.