

HB 126 -- FETAL HEARTBEAT DETECTION

SPONSOR: Schroer

This bill specifies that a physician shall not perform or induce an abortion on a pregnant woman without first performing a fetal heartbeat detection test. Except in cases of medical emergency, a physician shall not perform or induce an abortion if a fetal heartbeat is detected and shall inform the woman, in writing, that such abortion cannot be performed or induced. If a fetal heartbeat is not detected, an abortion may be performed or induced, in accordance with applicable law, so long as the abortion is performed or induced within 96 hours of the fetal heartbeat detection test. If more than 96 hours has passed since the fetal heartbeat detection test, the physician shall perform a new test prior to an abortion.

The physician shall record the estimated gestational age of the unborn child as well as the time, date, method, and results of the fetal heartbeat detection test in the woman's medical record and in the abortion report submitted to the Department of Health and Senior Services.

Any physician who fails to perform a fetal heartbeat detection test prior to the performance or inducement of an abortion shall be subject to having his or her medical license rejected, revoked, or suspended for 6 months and shall pay a \$1,000 fine. Any physician who performs or induces an abortion following the detection of a fetal heartbeat shall have his or her license revoked and any future license application denied. Any woman upon whom an abortion is performed or induced in violation of these provisions shall not be prosecuted for a conspiracy to violate these provisions.

This bill is the same as SB 714 (2018).