

HB 850 -- PAIN CAPABLE UNBORN CHILD PROTECTION ACT

SPONSOR: Swan

This bill establishes the "Pain Capable Unborn Child Protection Act," which specifies that no abortion may be performed or induced, or attempted to be performed or induced if the probable gestational age of the fetus has been determined by a physician to have reached the pain capable gestational age, unless it is necessary to avert the patient's death or serious risk of substantial and irreversible physical impairment of a major bodily function. The physician must terminate such pregnancy in a manner which provides the best opportunity for the fetus to survive unless doing so would pose a greater risk of death or substantial and irreversible physical impairment of a major bodily function to the patient.

Any physician who performs or induces an abortion shall report certain information, as specified in the bill, to the Department of Health and Senior Services. Beginning June 30, 2020, the department must issue a statistical report of reported information during the previous calendar year.

Any physician or other licensed medical practitioner who intentionally or recklessly performs or induces an abortion in violation of this bill is subject to discipline from the appropriate licensure board.