

AMENDMENTS TO LB512

Introduced by Health and Human Services.

1 1. Strike the original sections and insert the following new
2 sections:

3 **Section 1.** Sections 1 to 6 of this act shall be known and may be
4 cited as the Chemical Abortion Safety Protocol Act.

5 **Sec. 2.** For purposes of the Chemical Abortion Safety Protocol Act:

6 (1) Abortion-inducing drug means a drug or other substance,
7 including a regimen of two or more drugs or substances, that is provided
8 to a woman known to be pregnant, with the specific intent of terminating
9 the life of her preborn child. A drug, medicine, or other substance that
10 is capable of terminating the life of a preborn child but is provided for
11 another medical purpose, including, but not limited to, management of
12 miscarriage or removal of an ectopic pregnancy, is not an abortion-
13 inducing drug;

14 (2) Adverse event means any harmful event or outcome arising out of
15 the provision of an abortion-inducing drug, including: (a) Shock; (b)
16 hemorrhage requiring surgical management or blood transfusion; (c)
17 aspiration or allergic response; (d) infection; (e) sepsis; (f) pelvic
18 inflammatory disease; (g) incomplete abortion requiring surgical
19 management; (h) failure to terminate the pregnancy; (i) missed ectopic
20 pregnancy; (j) death; or (k) any other adverse event as defined by the
21 federal Food and Drug Administration as reported by MedWatch;

22 (3) Department means the Department of Health and Human Services;
23 and

24 (4) Provide, when used with regard to an abortion-inducing drug,
25 means any act of giving, selling, dispensing, administering, transferring
26 possession of, or prescribing an abortion-inducing drug.

27 **Sec. 3.** Before a physician provides an abortion-inducing drug, the

1 physician shall:

2 (1) Examine the woman in person;

3 (2) Independently verify that the woman is pregnant;

4 (3) Determine whether the woman has an ectopic pregnancy; and

5 (4) Document in the woman's medical record the gestational age and
6 location of the pregnancy.

7 **Sec. 4.** A physician who provides an abortion-inducing drug, or the
8 physician's agent, shall schedule a follow-up visit between the physician
9 and the woman to whom the abortion-inducing drug was provided. Such
10 follow-up visit shall occur no earlier than the third day and no later
11 than the twenty-eighth day after the date the abortion-inducing drug was
12 provided. At the follow-up visit, the physician shall:

13 (1) Confirm that the woman's pregnancy is completely terminated;

14 (2) Assess the woman for adverse events occurring after the
15 provision of the abortion-inducing drug, including any continued blood
16 loss; and

17 (3) Document any adverse event in the woman's medical record.

18 **Sec. 5.** (1) A physician who provides an abortion-inducing drug
19 shall file a report with the department within thirty days after the end
20 of the calendar month in which the abortion-inducing drug was provided.
21 Such report shall include, in addition to any information required by
22 rules and regulations adopted and promulgated by the department:

23 (a) The name of the physician;

24 (b) The name of the abortion-inducing drug provided and the date
25 each drug was provided to the woman;

26 (c) The date the woman returned for a follow-up visit, if
27 applicable;

28 (d) Documentation of any adverse events that occurred after
29 provision of the abortion-inducing drug;

30 (e) Any follow-up treatment provided by the physician; and

31 (f) If the woman was referred to another health care provider, the

1 purpose of such referral.

2 (2) The department shall produce a standard form for filing such
3 report.

4 (3) The report shall not include any personally identifying
5 information for a woman to whom an abortion-inducing drug was provided.

6 **Sec. 6.** No woman upon whom an abortion is attempted, induced, or
7 performed shall be liable for a violation of the Chemical Abortion Safety
8 Protocol Act.

9 **Sec. 7.** Section 38-2021, Revised Statutes Cumulative Supplement,
10 2024, is amended to read:

11 38-2021 Unprofessional conduct means any departure from or failure
12 to conform to the standards of acceptable and prevailing practice of
13 medicine and surgery or the ethics of the profession, regardless of
14 whether a person, patient, or entity is injured, or conduct that is
15 likely to deceive or defraud the public or is detrimental to the public
16 interest, including, but not limited to:

17 (1) Performance by a physician of an abortion as defined in
18 subdivision (1) of section 28-326 under circumstances when he or she will
19 not be available for a period of at least forty-eight hours for
20 postoperative care unless such postoperative care is delegated to and
21 accepted by another physician;

22 (2) Performing an abortion upon a minor without having satisfied the
23 requirements of sections 71-6901 to 71-6911;

24 (3) The intentional and knowing performance of a partial-birth
25 abortion as defined in subdivision (8) of section 28-326, unless such
26 procedure is necessary to save the life of the mother whose life is
27 endangered by a physical disorder, physical illness, or physical injury,
28 including a life-endangering physical condition caused by or arising from
29 the pregnancy itself;

30 (4) Performance by a physician of an abortion in violation of the
31 Pain-Capable Unborn Child Protection Act; and

1 (5) Violation of the Preborn Child Protection Act; and -

2 (6) Violation of the Chemical Abortion Safety Protocol Act.

3 **Sec. 8.** If any section in this act or any part of any section is
4 declared invalid or unconstitutional, the declaration shall not affect
5 the validity or constitutionality of the remaining portions.

6 **Sec. 9.** Original section 38-2021, Revised Statutes Cumulative
7 Supplement, 2024, is repealed.