

FIRST REGULAR SESSION

HOUSE BILL NO. 739

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PHILLIPS, BARRY, MARBLE, PORTWOOD, CUNNINGHAM (Co-sponsors), BARTELSMEYER, FROELKER, LEVIN, RECTOR, MILLER, HENDRICKSON, BEARDEN, HUNTER, MOORE, LUETKEMEYER, GASKILL, VILLA, REINHART, LUETKENHAUS, KELLEY (47), HANAWAY, NAEGER, CIERPIOT, DOLAN, COOPER, LINTON, KING, NORDWALD, SECREST, BURCHAM, ENZ, MYERS, BERKSTRESSER, CRAWFORD AND REYNOLDS.

Read 1st time February 12, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1163L.04I

AN ACT

To repeal section 191.725, RSMo 2000, and to enact in lieu thereof one new section relating to the Women's Information Act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 191.725, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 191.725, to read as follows:

191.725. 1. Beginning January 1, 1992, every licensed physician who provides obstetrical or gynecological care to a pregnant woman shall counsel all patients as to the perinatal effects of smoking cigarettes, the use of alcohol and the use of any controlled substance as defined in section 195.017, RSMo, schedule I, II, or III for nonmedical purposes. Such physicians shall further have all patients sign a written statement, the form of which will be prepared by the director of the department of health, certifying that such counseling has been received. All such executed statements shall be maintained as part of that patient's medical file. The director of the department of health, in cooperation with the department of mental health, division of alcohol and drug abuse, shall further provide educational materials and guidance to such physicians for the purpose of assuring accurate and appropriate patient education.

2. Beginning January 1, 2002, at least twenty-four hours before delivering a prescription to a patient, a pharmacy or a pharmacist for mifepristone, misoprostol (but only when misoprostol is prescribed in connection with an induced abortion), or any drug or combination of drugs which are intended to induce abortion, the prescribing physician shall confer with the patient and discuss with her the indicators and contra-indicators for the use of the proposed drug or drugs in light of her medical history and medical condition.

17 **The patient shall be screened prior to or during the discussion for risk factors, including**
18 **any physical, psychological or situational factors which would predispose the patient to,**
19 **or increase the risk of, experiencing one or more adverse emotional or physical reactions**
20 **to the use of the drug or drugs, in either the short or long term, as compared with women**
21 **who do not possess those risk factors. Prior to delivery of the prescription, the prescribing**
22 **physician shall sign and cause the patient to sign a written statement, the form of which**
23 **shall be prescribed by the department of health, certifying that such screening and**
24 **discussion has been performed and that the woman gave her informed consent, freely and**
25 **without coercion, after the physician discussed with her the indicators and contra-**
26 **indicators of the proposed drug or drugs in light of her medical history and medical**
27 **condition. All such executed statements shall be maintained as part of such patient's**
28 **medical file, subject to the confidentiality laws and rules of this state.**