

SECOND REGULAR SESSION

# HOUSE BILL NO. 2419

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LOY.

4363H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 188.021, RSMo, and to enact in lieu thereof one new section relating to medication abortions.

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

Section A. Section 188.021, RSMo, is repealed and one new section enacted in lieu  
2 thereof, to be known as section 188.021, to read as follows:

188.021. 1. When RU-486 (mifepristone) or any drug or chemical is used for the  
2 purpose of inducing an abortion, ~~[the initial dose]~~ **all doses** of the drug or chemical shall be  
3 administered in the same room and in the physical presence of the physician who prescribed,  
4 dispensed, or otherwise provided the drug or chemical to the patient. The physician inducing  
5 the abortion, or a person acting on such physician's behalf, shall make all reasonable efforts to  
6 ensure that the patient returns after the administration or use of RU-486 or any drug or  
7 chemical for a follow-up visit unless such termination of the pregnancy has already been  
8 confirmed and the patient's medical condition has been assessed by a licensed physician prior  
9 to discharge.

10       2. **Prior to administering any drug or chemical used for the purpose of inducing  
11 an abortion, the physician inducing the abortion shall:**

12       (1) **Perform an ultrasound to determine the gestational age of the unborn child;**  
13       (2) **Provide information to the patient on the ability of qualified medical  
14 professionals to potentially reverse the effects of an abortion obtained through the use of  
15 abortion-inducing drugs or chemicals; and**

16       (3) **Provide information to the patient on abortion-reversal counseling resources  
17 including, but not limited to, instruction on how to contact the H3HELPLine.**

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18       **3. If a patient requests abortion-reversal medication after the administration of**  
19   **any drug or chemical to induce an abortion, the physician shall administer such reversal**  
20   **medication if medically appropriate or the physician shall immediately refer the patient**  
21   **to another health care provider for the administration of such medication if medically**  
22   **appropriate.**

23       **4. The physician administering the abortion shall inform the patient of her right**  
24   **to sepulcher under section 194.119 and provide specific information on where the**  
25   **patient may take the fetus if the fetus is delivered intact.**

26       **5. When the Food and Drug Administration label of any drug or chemical used for the**  
27   **purpose of inducing an abortion includes any clinical study in which more than one percent of**  
28   **those administered the drug or chemical required surgical intervention after its administration,**  
29   **no physician may prescribe or administer such drug or chemical to any patient without first**  
30   **obtaining approval from the department of health and senior services of a complication plan**  
31   **from the physician for administration of the drug or chemical to any patient. The**  
32   **complication plan shall include any information deemed necessary by the department to**  
33   **ensure the safety of any patient suffering complications as a result of the administration of the**  
34   **drug or chemical in question. No complication plan shall be required where the patient is**  
35   **administered the drug in a medical emergency at a hospital and is then treated as an inpatient**  
36   **at a hospital under medical monitoring by the hospital until the abortion is completed.**

37       **[3-] 6. The department may adopt rules, regulations, and standards governing**  
38   **complication plans to ensure that patients undergoing abortions induced by drugs or**  
39   **chemicals have access to safe and reliable care. Any rule or portion of a rule, as that term is**  
40   **defined in section 536.010, that is created under the authority delegated in this section shall**  
41   **become effective only if it complies with and is subject to all of the provisions of chapter 536**  
42   **and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any**  
43   **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the**  
44   **effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then**  
45   **the grant of rulemaking authority and any rule proposed or adopted after October 24, 2017,**  
46   **shall be invalid and void.**

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