

SECOND REGULAR SESSION

HOUSE BILL NO. 2419

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LOY.

4363H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

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

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Section A. Section 188.021, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 188.021, to read as follows: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 purpose of inducing an abortion, ~~[the initial dose]~~ **all doses** of the drug or chemical shall be administered in the same room and in the physical presence of the physician who prescribed, dispensed, or otherwise provided the drug or chemical to the patient. The physician inducing the abortion, or a person acting on such physician's behalf, shall make all reasonable efforts to ensure that the patient returns after the administration or use of RU-486 or any drug or chemical for a follow-up visit unless such termination of the pregnancy has already been confirmed and the patient's medical condition has been assessed by a licensed physician prior to discharge.

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

(1) **Perform an ultrasound to determine the gestational age of the unborn child;**

(2) **Provide information to the patient on the ability of qualified medical professionals to potentially reverse the effects of an abortion obtained through the use of abortion-inducing drugs or chemicals; and**

(3) **Provide information to the patient on abortion-reversal counseling resources 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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