

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 3361

04/28/2014 Authored by Newberger and Lohmer

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act  
1.2 relating to health; requiring the physical presence of a physician and follow-up  
1.3 visits when drugs or chemicals are used to induce an abortion; providing criminal  
1.4 penalties; amending Minnesota Statutes 2012, section 145.412, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 145.412, subdivision 1, is amended to read:

1.7 Subdivision 1. **Requirements.** (a) It shall be unlawful to willfully perform an  
1.8 abortion unless the abortion is performed:

1.9 (1) by a physician licensed to practice medicine pursuant to chapter 147 who is board  
1.10 certified in obstetrics and gynecology, or a physician in training under the supervision of a  
1.11 licensed physician who is board certified in obstetrics and gynecology;

1.12 (2) in a hospital or abortion facility if the abortion is performed after the first trimester;

1.13 (3) in a manner consistent with the lawful rules promulgated by the state  
1.14 commissioner of health; and

1.15 (4) with the consent of the woman submitting to the abortion after a full explanation  
1.16 of the procedure and effect of the abortion.

1.17 (b) When any drug or chemical is used for the purpose of inducing an abortion, the  
1.18 drug or chemical must be administered in the same room and in the physical presence of  
1.19 the physician who prescribed, dispensed, or otherwise provided the drug or chemical  
1.20 to the pregnant woman.

1.21 (c) The physician inducing the abortion shall give the pregnant woman written  
1.22 instructions to return 12 to 18 days after the administration or use of any drug or chemical  
1.23 for the purpose of inducing an abortion for a follow-up visit, so the physician may confirm  
1.24 the pregnancy has been terminated and assess the woman's medical condition. The

2.1 woman's medical record must include a brief description of the reasonable efforts made by  
2.2 the physician or someone acting on behalf of the physician to encourage the woman to  
2.3 attend the follow-up appointment, including the date, time, and identification, by name,  
2.4 of the person making the efforts.

2.5 (d) Any person who knowingly or recklessly violates this section is guilty of a  
2.6 felony. No civil or criminal penalty shall be assessed against the patient upon whom the  
2.7 abortion is performed, induced, or attempted to be performed or induced.