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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2848

01/31/2022 Authored by Miller, Drazkowski and Poston
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; requiring certain disclosures as part of a chemical abortion;
1.3 proposing coding for new law in Minnesota Statutes, chapter 145.

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

1.5 Section 1. 145.418] CHEMICAL ABORTION; REQUIRED DISCLOSURE.

1.6 Subdivision 1. Definitions. (a) The terms defined in this subdivision apply to this section.

1.7 (b) "Abortion pill" means a medication or preparation that contains mifepristone or
1.8 misoprostol and is used to induce a chemical abortion.

1.9 (c) "Chemical abortion" means the use or administration of a drug or chemical with the
1.10 intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that
1.11 the termination by those means will, with reasonable likelihood, cause the death of the
1.12 unborn child.

1.13 (d) "Health care provider" means a physician licensed under chapter 147, a physician
1.14 assistant licensed under chapter 147A, or a nurse practitioner who is licensed as an advanced
1.15 practice registered nurse by the Board of Nursing and certified by a national nurse
1.16 certification organization acceptable to the board as a nurse practitioner.

1.17 (e) "Mifepristone" means a synthetic steroid that inhibits the action of progesterone and
1.18 that is given orally in early pregnancy as the first drug in a two-drug process to induce a
1.19 chemical abortion.

1.20 (f) "Misoprostol" means a synthetic prostaglandin E1 analogue that is administered as
1.21 the second drug in a two-drug process to induce a chemical abortion.

2.1 (g) "Unborn child" means the unborn offspring of a human being from the moment of
2.2 conception through pregnancy and until live birth.

2.3 Subd. 2. **Required disclosure.** (a) A health care provider, or any person acting under
2.4 the health care provider's direction, who administers, dispenses, or otherwise provides
2.5 mifepristone to a pregnant woman must also provide the following disclosure statement to
2.6 the pregnant woman:

2.7 "PLEASE READ BEFORE TAKING SECOND PILL

2.8 Research has indicated that the first pill provided, identified as mifepristone, is not
2.9 always effective in ending a pregnancy. If after taking the first pill you regret your decision,
2.10 please consult a health care provider immediately to determine if there are options available
2.11 to assist you in continuing your pregnancy."

2.12 (b) The disclosure statement may be provided by one of the following methods:

2.13 (1) stapling the disclosure statement to a bag, envelope, or other package that contains
2.14 misoprostol for the pregnant woman to self-administer at home;

2.15 (2) attaching the disclosure statement to a written prescription for misoprostol provided
2.16 by the health care provider or person acting under the health care provider's direction; or

2.17 (3) attaching the disclosure statement to the pregnant woman's discharge instructions or
2.18 health care instructions if the prescription for misoprostol is sent directly to a pharmacy.

2.19 Subd. 3. **Right to abortion not created or recognized.** Nothing in this section shall be
2.20 construed as creating or recognizing a right to abortion.

2.21 Subd. 4. **Provision of disclosure statement not required.** Nothing in this section shall
2.22 be construed to require the disclosure statement in subdivision 2 to be provided:

2.23 (1) to a woman experiencing a spontaneous miscarriage; or

2.24 (2) by a pharmacy or any entity other than the facility or setting where the mifepristone
2.25 is provided or administered to the pregnant woman.