



February 23, 2020

SUMMARY OF ORIGINAL BILL: Requires any facility in which more than 50 abortions were performed during the previous calendar year to post a sign in each patient waiting room or admission area informing patients that a chemical abortion may be reversed following the first dose of a two-dose treatment. Prohibits, except in the case of a medical emergency, a chemical abortion involving the two-drug process of dispensing mifepristone first and then misoprostol, from being performed or induced or attempted to be performed or induced, unless the woman is informed by telephone or in person, by the physician who is to perform the abortion, by a referring physician, or by an agent of either physician, at least 48-hours before the abortion that it may be possible to reverse it after the first dose.

States that any person who knowingly or recklessly performs or induces or attempts to perform or induce an abortion in violation of this section commits a Class E felony.

Requires the Department of Health (DOH) to post certain information on its website and to assess any facility that fails to post the required signage a civil penalty of \$10,000 for each day they are in violation.

Allows certain individuals to bring an action against the person who performed the abortion in knowing or reckless violation of this act for actual and punitive damages. Requires the court to rule whether the anonymity of the woman upon who the abortion was performed or attempted must be preserved from public disclosure if the woman does not give her consent to such disclosure.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014982): Deletes and rewrites all language after the enacting clause such that the only substantive changes are:

- Requires any facility in which more than 50 elective abortions were performed during the previous calendar year to post a sign in each patient waiting room or admission area informing patients that a chemical abortion may be reversed following the first dose of a two-dose treatment instead of any facility in which more than 50 abortions were performed during the previous calendar year; and
- Adds language stating this Act does not affect a provider's legal obligations pursuant to Tenn. Code. Ann. § 39-15-202.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The DOH can inspect the facilities, post information on the website and assess penalties utilizing existing resources; therefore, any fiscal impact is estimated to be not significant.
- There will not be a sufficient number of Class E felony prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- Any fiscal impact on state or local court systems can be handled utilizing existing resources; therefore, any fiscal impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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