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MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: March 14, 2017

Subject: HB 2319 – Woman's-right-to-know act amendments.

House Bill No. 2319 (HB 2319) amends the Woman's-right-to-know Act, K.S.A. 65-6708 to 65-6715 (Act). The Act generally requires that certain information be provided to a patient prior to the performance of an abortion, and how that information is to be presented. In particular, K.S.A. 65-6709 provides what constitutes informed consent for a patient prior to the performance of an abortion.

HB 2319 would amend K.S.A. 65-6709 to require more information regarding the physician performing the abortion be provided to the patient. Current law only requires the name of the physician. HB 2319 would also require the following:

- Year in which the physician received their medical doctor's degree.
- Date when the physician began practicing at the facility where the abortion is to be performed.
- Any disciplinary action that has been taken against the physician by the Board of Healing Arts.
- Whether the physician has malpractice insurance.
- Whether the physician has clinical privileges at a hospital located within 30 miles of the facility where the abortion is to be performed.
- Name of any hospital where the physician has lost clinical privileges.
- Whether the physician is a resident of Kansas.

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Section 2 of HB 2319 contains a type of severability clause wherein if any part of the provisions of Article 67 of Chapter 65 of the Kansas Statutes Annotated, which regulate the performance of abortions, is enjoined by a court, then the remaining parts are to still be enforced as valid law.

If enacted the provisions of HB 2319 would be effective on July 1, 2017.