

HOUSE BILL NO. HB0132

Reporting of abortions.

Sponsored by: Representative(s) Clem, Biteman, Edwards,
Gray, Hallinan, Jennings, Laursen, Lone,
Piiparinen, Salazar, Steinmetz and Winters
and Senator(s) Barnard, Dockstader and Meier

A BILL

for

1 AN ACT relating to abortions; establishing additional
2 requirements for abortion reporting; providing for a public
3 report of abortion statistics; providing penalties for
4 failure to report as required; specifying acts not meeting
5 reporting requirements are acts of unprofessional conduct;
6 and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 35-6-107(a) (intro), by creating a new
11 subsection (b), by amending and renumbering (b) as (c) and
12 by creating new subsections (d) and (e) and 35-6-108 are
13 amended to read:

14

1 **35-6-107. Reporting abortions.**

2

3 (a) The state office of vital records services shall
4 establish an abortion reporting form which shall be used
5 after May 27, 1977 for the reporting of every abortion
6 performed or prescribed in this state. The form shall
7 include the following items in addition to such other
8 information ~~as may be necessary to complete the form, but~~
9 ~~in no case shall information be required that would tend to~~
10 ~~disclose the identity of any individual participating in an~~
11 ~~abortion~~ subject to subsection (b) of this section:

12

13 (b) Except as provided in this subsection, the form
14 shall not contain the name or the address of the pregnant
15 woman or any other common identifiers including a social
16 security number, driver's license number or any other
17 information or identifier that would tend to disclose the
18 identity of the pregnant woman. The form shall contain a
19 unique medical record identifying number to enable matching
20 the report to the pregnant woman's medical records.

21

22 ~~(b)~~ (c) The form shall be completed by the attending
23 physician and sent to the state health officer as defined

1 in W.S. 9-2-103(e) within twenty (20) days after the
2 abortion is performed. Any physician who fails to submit a
3 form within fifty (50) days after an abortion is performed
4 shall be subject to a late fee of one thousand dollars
5 (\$1,000.00) for each additional thirty (30) day period or
6 portion of a thirty (30) day period the form is overdue.

7
8 (d) Any physician required to report in accordance
9 with this section who has not submitted a form, or has
10 submitted an incomplete form, more than six (6) months
11 after the abortion is performed, may, in an action brought
12 by the office of vital records services, be directed by a
13 court of competent jurisdiction to submit a complete form
14 within a period stated by court order or be subject to
15 civil contempt.

16
17 (e) Intentional or reckless failure by a physician to
18 conform to any requirement of this section, other than late
19 filing of a form, or intentional or reckless failure by a
20 physician to submit a complete form in accordance with a
21 court order constitutes unprofessional or dishonorable
22 conduct under W.S. 33-26-402(a)(xxvii). Intentional or
23 reckless falsification by a physician of a form required

1 under this section is a misdemeanor punishable by
2 imprisonment for not more than one (1) year, a fine of not
3 more than one thousand dollars (\$1,000.00), or both.

4
5 **35-6-108. Compilations of abortions; matter of**
6 **record; exception.**

7
8 (a) The state office of vital records services shall
9 prepare and after May 27, 1977 keep on file for seven (7)
10 years compilations of the information submitted on the
11 abortion reporting forms. The compilations shall be
12 available ~~only to a local, state or national public health~~
13 ~~official or a physician upon his written request~~ as
14 provided in this section. The state health officer, in
15 order to maintain and keep such compilations current, shall
16 file with the reports any new or amended information. ~~The~~
17 ~~information submitted under W.S. 35-6-107 and compiled~~
18 ~~under this section shall not be stored in any computer.~~

19
20 (b) A report received under W.S. 35-6-107 shall be
21 maintained in strict confidence by the state office of
22 vital records services, shall not be available for public
23 inspection and shall not be made available except to the

1 attorney general or a district attorney with appropriate
2 jurisdiction pursuant to a criminal investigation or to the
3 state board of medicine to enforce a finding of
4 unprofessional conduct as provided in W.S. 35-6-107(e).

5
6 (c) Not later than June 30 of each year the office of
7 vital records services shall issue a public report
8 providing statistics for the previous calendar year
9 compiled from all of the reports covering that year
10 submitted in accordance with this section for each of the
11 items listed in W.S. 35-6-107. The report shall also
12 include the statistics for all previous calendar years
13 during which this subsection was in effect, adjusted to
14 reflect any additional information from late or corrected
15 reports. The office shall ensure that none of the
16 information included in the public reports could reasonably
17 lead to the identification of any pregnant woman upon whom
18 an abortion was performed, induced or attempted.

19
20 **Section 2.** This act is effective July 1, 2017.

21
22 (END)