

HOUSE BILL NO. HB0103

Reporting of abortions.

Sponsored by: Representative(s) Clem, Edwards, Gray,
Jennings, Piiparinen, Salazar and Wilson and
Senator(s) Biteman, Hutchings, James and
Steinmetz

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; authorizing the board of
4 medicine to investigate and discipline specified conduct; and
5 providing for an effective date.

6

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

8

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

12

13 **35-6-107. Forms for reporting abortions.**

14

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

10
11 (v) The ~~length and weight of the aborted fetus or~~
12 ~~embryo, when measurable~~ gestational age of the aborted fetus
13 or embryo in completed weeks at the time of abortion;

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

21
22 ~~(b)~~ (c) The form shall be completed by the attending
23 physician and ~~sent~~ submitted to the state health officer as

1 defined in W.S. 9-2-103(e) within twenty (20) days after the
2 abortion is performed. A physician who fails to submit a form
3 under this section within one hundred ten (110) days after an
4 abortion is performed shall be reported to the board of
5 medicine by the state health officer. The board of medicine
6 shall investigate the matter and may take disciplinary action
7 under W.S. 33-26-402(a)(x).

8
9 **35-6-108. Compilations of abortions; matter of record;**
10 **exception.**

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

23

1 (b) An abortion reporting form received under W.S.
2 35-6-107 shall be maintained in strict confidence by the state
3 office of vital records services, shall not be a public record
4 and shall not be made available except to the attorney general
5 or a district attorney with appropriate jurisdiction pursuant
6 to a criminal investigation or to the state board of medicine
7 to enforce a finding of unprofessional conduct as provided in
8 W.S. 35-6-107(e).

9
10 (c) Not later than June 30 of each year the office of
11 vital records services shall issue a public report providing
12 statistics for the previous calendar year compiled from all
13 of the abortion reporting forms from that year submitted in
14 accordance with this section for each of the items listed in
15 W.S. 35-6-107. The report shall also include the statistics
16 for all previous calendar years during which this subsection
17 was in effect, adjusted to reflect any additional information
18 from late or corrected reports. The office shall ensure that
19 no information included in the public reports could
20 reasonably lead to the identification of any woman upon whom
21 an abortion was performed, induced or attempted. The report
22 shall be transmitted to the United States centers for disease

1 control and prevention for the national abortion surveillance
2 report.

3

4 **Section 2.** This act is effective July 1, 2019.

5

6 (END)