

ENROLLED ACT NO. 116, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

AN ACT relating to abortions; establishing additional requirements for abortion reporting; providing for a public report of abortion statistics; authorizing the board of medicine to investigate and discipline specified conduct; and providing for an effective date.

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

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

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

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

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

(b) In addition to the requirements provided in subsection (a) of this section, the form shall not contain the name or the address of the pregnant woman or any other common identifiers including a social security number, driver's license number or any other information or identifier that would tend to disclose the identity of the

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pregnant woman or any other participant other than the reporting physician.

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

(d) Termination of a pregnancy by natural miscarriage or as a treatment consequence of a natural miscarriage shall not be reported as an abortion pursuant to this section, provided that the miscarriage was not induced with the intent of terminating the pregnancy. An alleged miscarriage that was induced with the intent of terminating a pregnancy shall be reported as an abortion pursuant to this section.

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

(a) The state office of vital records services shall prepare and ~~after May 27, 1977~~ keep on file for seven (7) years compilations of the information submitted on the abortion reporting forms. The compilations shall be available ~~only to a local, state or national public health official or a physician upon his written request~~ as provided in this section. The state health officer, in order to maintain and keep such compilations current, shall file with the reports any new or amended information. The information submitted under W.S. 35-6-107 and compiled under this section, except

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the report required under subsection (c) of this section,  
shall not be stored in any computer.

(b) An abortion reporting form received under W.S. 35-6-107 shall be maintained in strict confidence by the state office of vital records services, shall not be a public record and shall not be made available except to the attorney general or a district attorney with appropriate jurisdiction pursuant to a criminal investigation or to the state board of medicine pursuant to an investigation. The attorney general or a district attorney receiving an abortion form pursuant to this subsection shall keep the form and information from the form confidential except as may be required by law for a criminal prosecution. The state board of medicine receiving an abortion form pursuant to this subsection shall keep the form and information from the form confidential except as may be required by law to determine or enforce an action regarding licensure.

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

ORIGINAL HOUSE  
BILL NO. HB0103

ENGROSSED

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk