

HOUSE BILL No. 2007

By Representative Huebert

1-6

1 AN ACT concerning abortion; amending K.S.A. 65-6701 and repealing the
2 existing section.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 65-6701 is hereby amended to read as follows: 65-
6 6701. As used in this act:

7 (a) "Abortion" means the use of any means to intentionally terminate a
8 pregnancy except for the purpose of causing a live birth. Abortion does not
9 include: (1) The use of any drug or device that inhibits or prevents ovulation,
10 fertilization or the implantation of an embryo; or (2) disposition of the product
11 of in vitro fertilization prior to implantation.

12 (b) *"Bodily function" means physical functions. The term "bodily*
13 *function" does not include mental or emotional functions.*

14 ~~(b)~~ (c) "Counselor" means a person who is: (1) Licensed to practice
15 medicine and surgery; (2) licensed to practice psychology; (3) licensed to
16 practice professional or practical nursing; (4) registered to practice
17 professional counseling; (5) licensed as a social worker; (6) the holder of a
18 master's or doctor's degree from an accredited graduate school of social work;
19 (7) registered to practice marriage and family therapy; (8) a licensed physician
20 assistant; or (9) a currently ordained member of the clergy or religious
21 authority of any religious denomination or society. Counselor does not include
22 the physician who performs or induces the abortion or a physician or other
23 person who assists in performing or inducing the abortion.

24 ~~(c)~~ (d) "Department" means the department of health and environment.

25 ~~(d)~~ (e) "Gestational age" means the time that has elapsed since the first
26 day of the woman's last menstrual period.

27 ~~(e)~~ (f) "Medical emergency" means that condition which, on the basis of
28 the physician's good faith clinical judgment, so complicates the medical
29 condition of a pregnant woman as to necessitate the immediate abortion of her
30 pregnancy to avert her death or for which a delay will create serious risk of
31 substantial and irreversible impairment of a major bodily function.

32 ~~(f)~~ (g) "Minor" means a person less than 18 years of age.

33 ~~(g)~~ (h) "Physician" means a person licensed to practice medicine and
34 surgery in this state.

35 ~~(h)~~ (i) "Pregnant" or "pregnancy" means that female reproductive
36 condition of having a fetus in the mother's body.

1 ~~(i)~~ (j) "Qualified person" means an agent of the physician who is a
2 psychologist, licensed social worker, registered professional counselor,
3 registered nurse or physician.

4 ~~(j)~~ (k) "Unemancipated minor" means any minor who has never been: (1)
5 Married; or (2) freed, by court order or otherwise, from the care, custody and
6 control of the minor's parents.

7 ~~(k)~~ (l) "Viable" means that stage of gestation when, in the best medical
8 judgment of the attending physician, the fetus is capable of sustained survival
9 outside the uterus without the application of extraordinary medical means.

10 Sec. 2. K.S.A. 65-6701 is hereby repealed.

11 Sec. 3. This act shall take effect and be in force from and after its
12 publication in the statute book.