

HOUSE No. 2070

The Commonwealth of Massachusetts

PRESENTED BY:

Ellen Story and David Paul Linsky

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to improve health care for young women.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>

<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Barbara L'Italian</i>	<i>Second Essex and Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>

HOUSE No. 2070

By Representatives Story of Amherst and Linsky of Natick, a petition (accompanied by bill, House, No. 2070) of Ellen Story and others relative to consent and counseling of pregnant women under sixteen years of age. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2092 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to improve health care for young women.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The second paragraph of section 12S of chapter 112 of the General Laws is hereby
2 amended by striking out the second, third, fourth, fifth, sixth, seventh, and eighth sentences and
3 inserting in place thereof the following:-

4 If a pregnant woman is less than sixteen years of age and has not married, no physician
5 may perform an abortion upon her unless the attending physician has received and made part of
6 the medical record the written consent of the pregnant woman and:

7 (1) the written consent of a parent, a legal guardian, a foster parent, or an adult family
8 member twenty-five years of age or older; or

9 (2) the authorization of a judge of the superior court department of the trial court; or

10 (3) the written certification by an authorized individual that he has counseled the
11 pregnant woman regarding alternative choices available to manage the pregnancy and the option
12 of involving the woman's parents, guardians, or other adult family members in her decision-
13 making.

14 An authorized individual shall be either a medical professional registered under section
15 two, nine F, seventy-four, or seventy-four A of this chapter, or a mental health professional
16 licensed under section one hundred nineteen or one hundred thirty-one of this chapter. The
17 commissioner of public health shall prescribe a form for the authorized individual to use in
18 certifying that he has provided counseling in accordance with this section. A family member
19 shall be one of the pregnant woman's grandparents or their lineal descendants, including those
20 by adoption, and spouses of any such persons.

21 If a pregnant woman less than sixteen years of age has not married and she elects to seek
22 the authorization of a judge of the superior court department of the trial court, the judge shall,
23 upon petition or motion, and after an appropriate hearing, authorize a physician to perform the
24 abortion if said judge determines that the pregnant woman is mature and capable of giving
25 informed consent to the proposed abortion or, if said judge determines that she is not mature, that
26 the performance of an abortion upon her would be in her best interests. A pregnant woman less
27 than sixteen years of age may participate in proceedings in the superior court department of the
28 trial court on her own behalf, and the court may appoint a guardian ad litem for her.