

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2867 Session of
2022

INTRODUCED BY BENHAM, D. WILLIAMS, FRANKEL, SCHLOSSBERG, MADDEN,
KRAJEWSKI, HOHENSTEIN, OTTEN, SANCHEZ, FIEDLER, COVINGTON,
KINSEY, T. DAVIS, HANBIDGE, SHUSTERMAN, KINKEAD, CEPHAS AND
DELLOSO, OCTOBER 4, 2022

REFERRED TO COMMITTEE ON HEALTH, OCTOBER 4, 2022

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in abortion, further providing for
3 prohibited acts; and abrogating regulations.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 3213(c) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3213. Prohibited acts.

9 * * *

10 (c) [Regulations.--The department shall issue regulations to
11 assure that prior to the performance of any abortion, including
12 abortions performed in the first trimester of pregnancy, the
13 maternal Rh status shall be determined and that anti-Rh
14 sensitization prophylaxis shall be provided to each patient at
15 risk of sensitization unless the patient refuses to accept the
16 treatment. Except when there exists a medical emergency or, in
17 the judgment of the physician, there exists no possibility of Rh

1 sensitization, the intentional, knowing, or reckless failure to
2 conform to the regulations issued pursuant to this subsection
3 constitutes "unprofessional conduct" and his license for the
4 practice of medicine and surgery shall be subject to suspension
5 or revocation in accordance with procedures provided under the
6 act of October 5, 1978 (P.L.1109, No.261), known as the
7 Osteopathic Medical Practice Act, the act of December 20, 1985
8 (P.L.457, No.112), known as the Medical Practice Act of 1985, or
9 their successor acts.] (Reserved).

10 * * *

11 Section 2. The provisions of 28 Pa. Code § 29.33(6) and (7)
12 are abrogated.

13 Section 3. This act shall take effect immediately.