



March 20, 2023

**SUMMARY OF BILL AS AMENDED (006160):** Defines criminal abortion as an abortion performed with intent other than to increase the probability of a live birth, to preserve the life or health of a child after live birth, or to remove a dead fetus and does not include a termination of a pregnancy of a woman known to be pregnant that is performed by a physician to: (1) Remove a medically futile pregnancy; (2) Remove an ectopic or molar pregnancy; (3) Dispose of an unimplanted fertilized egg; (4) Address a lethal fetal anomaly; or (5) Prevent or treat a medical emergency.

Deletes various obsolete criminal offenses, reporting requirements and civil penalties related to criminal abortion.

Eliminates the requirement for the Commissioner of Finance and Administration to submit a waiver amendment the existing TennCare II waiver that required elective abortion providers be excluded from participation as providers in the TennCare program to the federal Centers for Medicare and Medicaid services for approval.

**FISCAL IMPACT OF BILL AS AMENDED:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Any necessary rule changes by boards under the Division of Health-Related Boards can be accommodated within the appropriate board's regularly-scheduled meetings at no additional cost.
- Pursuant to Tenn. Code Ann. § 39-15-213(b), and this legislation, criminal abortion is a Class C felony.
- Eliminating various obsolete criminal offenses, reporting requirements and civil penalties related to criminal abortion will not result in a sufficient change in the number of prosecutions for state or local government to experience any significant change in revenue or expenditures.
- Any impact to the court system as a result of the proposed legislation is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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