

HOUSE BILL No. 2523

By Committee on Federal and State Affairs

1-24

Proposed Amendment to HB 2523  
For Committee on Judiciary  
Prepared by: Office of Revisor of Statutes

1 AN ACT concerning abortion; amending K.S.A. 65-443 and K.S.A. 2011  
2 Supp. 65-444 and repealing the existing sections.

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

5 Section 1. K.S.A. 65-443 is hereby amended to read as follows: 65-  
6 443. No person shall be required to perform, ~~refer for~~ or participate in  
7 medical procedures or in the prescription or administration of any device  
8 or drug which result in the termination of a pregnancy or an effect of  
9 which the person reasonably believes may result in the termination of a  
10 pregnancy; and the refusal of any person to perform, ~~refer for~~ or  
11 participate in those medical procedures, prescription or administration  
12 shall not be a basis for civil liability to any person. No hospital, hospital  
13 health care facility, health care facility administrator or governing board of  
14 any hospital health care facility shall terminate the employment of, prevent  
15 or impair the practice or occupation of or impose any other sanction on  
16 any person because of such person's refusal to perform or participate in the  
17 termination of any human pregnancy exercise of rights protected by this  
18 section.

19 Sec. 2. K.S.A. 2011 Supp. 65-444 is hereby amended to read as  
20 follows: 65-444. No hospital, hospital health care facility, health care  
21 facility administrator or governing board shall be required to permit the  
22 performance, ~~referral for~~ or participation in medical procedures or in the  
23 prescription or administration of any device or drug which result in the  
24 termination of human pregnancies or an effect of which the facility,  
25 administrator or board reasonably believes may result in the termination  
26 of human pregnancies within its institution and the refusal to permit such  
27 procedures prescription or administration shall not be grounds for civil  
28 liability to any person. A hospital may establish criteria and procedures  
29 under which pregnancies may be terminated within its institution, in  
30 addition to those which may be prescribed by licensing, regulating or  
31 accrediting agencies.

32 Sec. 3. K.S.A. 65-443 and K.S.A. 2011 Supp. 65-444 are hereby  
33 repeated.

34 Sec. 4. This act shall take effect and be in force from and after its  
35 publication in the statute book.

strikes ", refer for,"

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Any person exercising rights protected by this section shall make a referral for the performance, administration or prescription of a medical procedure, device or drug which would result in the termination of a pregnancy. A refusal to make such a referral may be reported to the state board of healing arts or the board of nursing, whichever is applicable, for appropriate disciplinary action.

strikes ", referral for,"