

1 SENATE BILL 437

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Craig W. Brandt

5
6
7
8
9
10 AN ACT

11 RELATING TO HEALTH; REQUIRING A PHYSICIAN PERFORMING OR
12 INDUCING AN ABORTION TO HAVE PHYSICIAN ADMITTING PRIVILEGES AND
13 TO FACILITATE ACCESS TO MEDICAL RECORDS AND EMERGENCY MEDICAL
14 ASSISTANCE; PROVIDING PENALTIES.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. [NEW MATERIAL] ADMITTING PRIVILEGES REQUIRED
18 TO PERFORM ABORTION--PENALTIES.--

19 A. A physician shall not perform or induce an
20 abortion unless, on the date that the abortion is performed or
21 induced, the physician has active admitting privileges at a
22 hospital that is located not further than thirty miles from the
23 location at which the abortion is performed or induced.

24 B. A physician performing or inducing an abortion
25 shall provide the pregnant woman with:

.199021.2

underscored material = new
[bracketed material] = delete

1 (1) a telephone number at which the woman may
2 reach the physician or other health care personnel employed by
3 the physician or by the facility at which the abortion was
4 performed or induced, twenty-four hours a day, to request
5 access to the woman's relevant medical records or to request
6 assistance for any complications that arise from the abortion;
7 and

8 (2) the name and telephone number of the
9 nearest hospital to the home of the woman at which an emergency
10 arising from the abortion could be treated.

11 C. A physician who violates Subsection A of this
12 section is guilty of a misdemeanor and, notwithstanding Section
13 31-19-1 NMSA 1978, shall be punished only by a fine in the
14 amount of one thousand dollars (\$1,000).

15 D. A physician who fails to provide the information
16 required pursuant to Subsection B of this section is guilty of
17 a petty misdemeanor and, notwithstanding Section 31-19-1 NMSA
18 1978, shall be punished only by a fine in the amount of three
19 hundred dollars (\$300).

20 E. As used in this section:

21 (1) "abortion" means the use of any means to
22 terminate the pregnancy of a female known by the attending
23 physician to be pregnant, with the intention that the
24 termination by those means will, with reasonable likelihood,
25 cause the death of the fetus;

