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HOUSE MEMORIAL 118

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Rick Little and Bob Wooley

A MEMORIAL

REQUESTING THE INTERIM LEGISLATIVE HEALTH AND HUMAN SERVICES  
COMMITTEE TO STUDY THE LEGAL RAMIFICATIONS OF THE LACK OF A  
REQUIREMENT FOR PARENTAL NOTIFICATION OF ABORTION FOR MINORS  
AND TO PROPOSE LEGISLATION TO ALIGN NEW MEXICO WITH OTHER  
STATES.

WHEREAS, the state has an interest in protecting the  
health and welfare of minors; and

WHEREAS, the state also has an interest in protecting the  
constitutional right of parents to raise their children; and

WHEREAS, parents are responsible for the health, safety  
and welfare of their children; and

WHEREAS, parents are responsible for providing and liable  
for payment of expenses associated with the medical care of  
their children; and

underscored material = new  
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1           WHEREAS, statewide school policies require parental  
2 notification and consent to any medical treatment of minors at  
3 school; and

4           WHEREAS, the New Mexico department of health requires  
5 parental consent prior to dispensation of contraceptives to  
6 minors; and

7           WHEREAS, parental notification and consent is required  
8 prior to any non-emergency medical consultation, care or  
9 treatment of minors except for abortion; and

10          WHEREAS, if an abortion performed on a minor results in  
11 unforeseen medical complications, the minor's parents will be  
12 liable for payment of the associated expenses; and

13          WHEREAS, thirty-seven states have requirements for  
14 parental notification of or consent to abortion for minors; and

15          WHEREAS, because of the lack in New Mexico of a  
16 requirement for notification of parents of a minor seeking an  
17 abortion, an abortion performed on a minor that results in  
18 unforeseen consequences or detriment to the minor's health may  
19 result in liability of the state;

20          NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
21 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the interim  
22 legislative health and human services committee be requested to  
23 study the legal ramifications of the lack of a requirement to  
24 notify the parents of a minor seeking an abortion and develop  
25 proposed legislation to align New Mexico with other states; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council, the director of the legislative council service and the chair of the legislative health and human services committee.