



Final Analysis

Michelle L. Paluga

Legislative Service Commission

Am. H.B. 314
127th General Assembly
(As Passed by the General Assembly)

Reps. Jones, Adams, Barrett, Batchelder, Brinkman, Bubb, Coley, Collier, Distel, Dodd, Dolan, Evans, Fessler, Garrison, Goodwin, Hottinger, Huffman, Latta, Mandel, J. McGregor, Patton, Schindel, Schneider, Seitz, Setzer, Uecker, Wachtmann, Wagoner, Widener, Wolpert, Zehringer, Mecklenborg, Aslanides, Blessing, Brady, Combs, DeBose, DeGeeter, Domenick, Driehaus, Dyer, Flowers, Gibbs, J. Hagan, Hite, Lundy, Oelslager, Raussen, Reinhard, Schlichter, Wagner, White, Widowfield

Sens. Mumper, Padgett, Schuring, Seitz, Coughlin, Buehrer, Wagoner, Amstutz, Carey, Cates, Faber, Goodman, Harris, Jacobson, Niehaus, Schaffer, Schuler, Spada, Wilson

Effective date: June 20, 2008

ACT SUMMARY

- Requires a physician to do both of the following if an obstetric ultrasound examination is performed prior to an abortion or is to be performed as part of an abortion procedure: (1) provide the woman the opportunity to view the active ultrasound image of the embryo or fetus, and (2) offer to provide the woman with a physical picture of the ultrasound image.
- Provides that the opportunity to view an active ultrasound image must be granted without additional charge to the woman.
- Authorizes the State Medical Board to take disciplinary action against a physician who fails to comply with the act.
- Makes a technical correction in the laws pertaining to child abuse and neglect reports.

* Correction made to the list of sponsors.

CONTENT AND OPERATION

Ultrasound image and picture

(R.C. 2317.561)

The act provides that if an obstetric ultrasound examination is performed at any time prior to the performance or inducement of an abortion or the physician performing or inducing the abortion determines that an ultrasound examination will be performed as part of the abortion procedure, the physician performing or inducing the abortion must (1) provide the woman receiving the abortion the opportunity to view the active ultrasound image of the embryo or fetus and (2) offer to provide the woman with a physical picture of the ultrasound image of the embryo or fetus.

The act specifies that its requirements are in addition to those in continuing law that must be fulfilled before an abortion is performed or induced.¹ With regard to the requirement that an opportunity to view an active ultrasound image be provided, the act specifies that there must be no additional charge to the woman.

Physician disciplinary actions

(R.C. 4731.22)

Continuing law authorizes the State Medical Board, by an affirmative vote of not fewer than six members, to take disciplinary action against a physician for any of a number of reasons specified in statute. The Board may limit, revoke, or suspend a physician's certificate to practice, refuse to register a physician, refuse to reinstate a physician's certificate, or reprimand or place a physician on probation. The act adds failure to comply with its requirements as a reason for disciplinary action against a physician.

Child abuse and neglect reports--technical correction

(R.C. 2151.421(F)(1))

The act makes a technical correction in existing laws under which public children services agencies are required to report cases of child abuse and neglect to the uniform statewide automated child welfare information system maintained by the Department of Job and Family Services.

¹ Continuing law specifies procedures that must be followed in obtaining a woman's informed consent to an abortion (R.C. 2317.56, not in the act).

HISTORY

ACTION	DATE
Introduced	09-18-07
Reported, H. Health	12-12-07
Passed House (73-20)	12-12-07
Reported, S. Health, Human Services & Aging	03-13-08
Passed Senate (24-8)	03-13-08

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