

Amendment No. 8

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Regulatory Reform &
2 Economic Development Subcommittee
3 Representative Eskamani offered the following:

Amendment (with title amendment)

Between lines 12 and 13, insert:

7 Section 1. Paragraph (b) of subsection (4) and paragraph
8 (b) of subsection (5) of section 390.01114, Florida Statutes,
9 are amended to read:

10 390.01114 Parental Notice of and Consent for Abortion
11 Act.—

(4) NOTIFICATION REQUIRED.—

(b) Notice is not required if:

14 1. In the physician's good faith clinical judgment, a
15 medical emergency exists and there is insufficient time for the
16 attending physician to comply with the notification

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17 requirements. If a medical emergency exists, the physician shall
18 make reasonable attempts, whenever possible, without endangering
19 the minor, to contact the parent or legal guardian, and may
20 proceed, but must document reasons for the medical necessity in
21 the patient's medical records. The physician shall provide
22 notice directly, in person or by telephone, to the parent or
23 legal guardian, including details of the medical emergency and
24 any additional risks to the minor. If the parent or legal
25 guardian has not been notified within 24 hours after the
26 termination of the pregnancy, the physician shall provide notice
27 in writing, including details of the medical emergency and any
28 additional risks to the minor, signed by the physician, to the
29 last known address of the parent or legal guardian of the minor,
30 by first-class mail and by certified mail, return receipt
31 requested, with delivery restricted to the parent or legal
32 guardian;

33 2. Notice is waived in writing by the person who is
34 entitled to notice and such waiver is notarized, dated not more
35 than 30 days before the termination of pregnancy, and contains a
36 specific waiver of the right of the parent or legal guardian to
37 notice of the minor's termination of pregnancy;

38 3. Notice is waived by the minor who is or has been
39 married or has had the disability of nonage removed under s.
40 743.015 or a similar statute of another state;

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41 4. Notice is waived by the patient because the patient has
42 a minor child dependent on her;

43 5. The minor is 16 or 17 years of age and legally
44 employed; or

45 ~~6.5.~~ Notice is waived under subsection (6).

46 (5) PARENTAL CONSENT REQUIRED.—

47 (b) The consent of a parent or guardian is not required
48 if:

49 1. Notification is not required as provided in
50 subparagraph (4)(b)1., subparagraph (4)(b)3., subparagraph
51 (4)(b)4., or subparagraph (4)(b)5.;

52 2. Notification is not required due to the existence of a
53 waiver as provided in subparagraph (4)(b)2., if that waiver is
54 signed by the minor's parent or legal guardian, is notarized, is
55 dated within 30 days before the termination of the pregnancy,
56 contains a specific waiver of the right of the parent or legal
57 guardian to consent to the minor's termination of pregnancy, and
58 a copy of the parent's or legal guardian's government-issued
59 proof of identification is attached to the waiver;

60 3. Consent is waived under subsection (6);

61 4. The minor is 16 or 17 years of age and legally
62 employed; or

63 ~~5.4.~~ In the physician's good faith clinical judgment, a
64 medical emergency exists and there is insufficient time for the
65 attending physician to comply with the consent requirement. If a

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66 | medical emergency exists, the physician must make reasonable
67 | attempts, whenever possible, and without endangering the minor,
68 | to contact the parent or legal guardian of the minor, and may
69 | proceed, but must document reasons for the medical necessity in
70 | the minor patient's medical records. The physician shall inform
71 | the parent or legal guardian, in person or by telephone, within
72 | 24 hours after the termination of the pregnancy of the minor,
73 | including details of the medical emergency that necessitated the
74 | termination of the pregnancy without the parent's or legal
75 | guardian's consent. The physician shall also provide this
76 | information in writing to the parent or legal guardian at his or
77 | her last known address, by first-class mail or by certified
78 | mail, return receipt requested, with delivery restricted to the
79 | parent or legal guardian.

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T I T L E A M E N D M E N T

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Remove line 2 and insert:

84

An act relating to the regulation of minors; amending

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s. 390.01114, F.S.; providing that notification and

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consent for an abortion are not required if a minor is

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a certain age and legally employed;