

HOUSE No. 4770

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 17, 2018.

The committee on Ways and Means, to whom was referred the Senate Bill negating archaic statutes targeting young women (Senate, No. 2260, amended), reports recommending that the same ought to pass with amendments striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4770; by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to repeal and update statutes related to reproductive health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.”; and by striking out the title and inserting in place thereof the following title: “An Act relative to reproductive health.” [Representative Silvia of Fall River dissents].

For the committee,

JEFFREY SÁNCHEZ.

HOUSE No. 4770

Text of amendments, recommended by the committee on Ways and Means, to the Senate Bill negating archaic statutes targeting young women (Senate, No. 2260, amended). July 17, 2018.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

By striking out all after the enacting clause and inserting in place thereof the following:—

1 “SECTION 1. Section 12Q of chapter 112 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
3 thereof the following paragraph:-

4 Except in an emergency requiring immediate action, an abortion shall not be performed
5 under section 12L or 12M unless the written informed consent of the proper person has been
6 delivered to the physician performing the abortion as set forth in section 12S.

7 SECTION 2. Sections 14, and 18 to 21, inclusive, of chapter 272 of the General Laws
8 are hereby repealed.

9 SECTION 3. Said chapter 272 is hereby amended by striking out section 21A, as
10 appearing in the 2016 Official Edition, and inserting in place thereof the following section:-

11 Section 21A. An authorized health care provider may administer or prescribe to any
12 person drugs or articles for the prevention of pregnancy or conception. A registered pharmacist
13 may provide such drugs or articles to any person presenting a prescription from an authorized
14 health care provider; provided however, that nothing in this sentence shall prevent a registered

15 pharmacist from providing such drugs and articles that do not require a prescription; and
16 provided further, that emergency contraception, as defined in section 19A of chapter 94C, shall
17 be dispensed as provided in said section 19A of said chapter 94C.

18 A public health agency, a registered nurse or other health care provider or a maternity
19 health clinic operated by or in an accredited hospital may provide information on the
20 procurement of professional advice on the lawful obtainment of drugs or articles for the
21 prevention of pregnancy or conception to any person.

22 This section shall not be construed to permit the sale or dispensing of drugs or articles for
23 the prevention of pregnancy or conception by a vending machine or similar device.

24 For the purposes of this section, ‘authorized health care provider’ means a registered
25 physician, physician’s assistant, nurse practitioner, and certified nurse midwife.”; by striking out
26 the emergency preamble and inserting in place thereof the following emergency preamble:

27 “*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to
28 repeal and update statutes related to reproductive health, therefore it is hereby declared to be an
29 emergency law, necessary for the immediate preservation of the public health.”; and by striking
30 out the title and inserting in place thereof the following title: “An Act relative to reproductive
31 health.”.