

June 21, 2017



The graphic features a background image of the Missouri State Capitol interior. In the top left, there is a small inset photo of Rep. Donna Pfautsch speaking at a podium. The text on the graphic reads: "State Representative Donna Pfautsch District 33 Serving parts of Cass, Jackson and Lafayette Counties". The large text "Capitol Report" is centered. On the right side, there is a section titled "COMMITTEES" listing "Chair, Consent and House Procedure", "Insurance Policy", "Health and Mental Health Policy", and "Innovation and Technology". Below this is the Missouri State Seal and contact information for Rep. Donna Pfautsch: "201 W. Capitol Ave., Suite 104B Jefferson City, MO 65101 573-751-9766 donna.pfautsch@house.mo.gov".

Friends,

The Missouri House met for Extraordinary Session on Tuesday to amend and strengthen the legislation sent over from the Senate that is intended to better ensure the health and safety of women by putting common sense safety requirements in place for abortion clinics. Through amendments in committee and on the floor, we strengthened the version of the bill that was approved by the Senate by adding several provisions that were originally called for by Governor Greitens.

One of the provisions added back into the bill by the House would prevent abortion clinic staff from requiring emergency responders to alter their normal response procedure by turning off lights or sirens. Another provision would allow the attorney general to prosecute violations of state abortion laws with no obligation to first inform local prosecutors. The Senate version had required notification of local prosecutors. The House also strengthened penalties for abortion clinics that do not comply with the requirements for submitting fetal tissue after an abortion.

Some of the main provisions of the bill would:

- Allow the Department of Health and Senior Services to adopt rules governing complication plans to ensure patients undergoing abortions induced by drugs or chemicals have access to safe and reliable care;
- Require an abortion facility to provide affirmative evidence that each person authorized to perform abortions is a physician currently licensed to practice in Missouri;
- Allow the health department to adopt separate rules to apply to ambulatory surgical centers and to apply to abortion facilities, and ensure any abortion facility requirement is equal to any physical requirement of an ambulatory surgical center;
- Permit the health department to make an unannounced on-site inspection of any abortion facility at least annually; and
- Require that all tissue removed at the time of abortion be sent to a pathologist within seventy-two hours for examination.

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The governor called the legislature in to enact the stronger safety regulations because of a court ruling that struck down Missouri's previous law that required abortion providers to abide by the same regulations imposed on ambulatory surgical centers. The court also did away with a law that required a doctor providing an abortion to have privileges at a nearby hospital. Supporters say the regulations were necessary to ensure the safety and health of women using the facilities. They note that the Planned Parenthood facility in St. Louis has had to call an ambulance 58 times in the last seven years with 23 of the calls made to respond to hemorrhages as a complication of abortion. They also point out that the St. Louis facility was cited by the Department of Health and Senior Services more than 100 times from 2009 to 2016 for failure to provide a safe and sanitary environment.

Another provision of the bill addresses a city ordinance the governor says has turned St. Louis into an abortion sanctuary city. The St. Louis ordinance was put in place by the city to prevent employers and landlords from discriminating against women who have had an abortion, use birth control, or are pregnant. The governor has said the ordinance makes it so organizations like pregnancy care centers can't work the way they're supposed to. As the governor said, local politicians have tried to make it illegal for pro-life organizations to say that they just want to hire pro-life Missourians. The bill passed by the House acknowledges and protects the right of an "alternatives to abortion" agency to operate freely and engage in speech without governmental interference, and the right of a person not to be compelled by the government to participate in abortion contrary to his or her religious beliefs or moral convictions. In effect, the bill would preempt the St. Louis ordinance.

The legislation now moves back to the Senate where the other chamber will have the opportunity to pass the bill and send it to the governor's desk. If the Senate refuses to take the House changes, the two bodies will likely send the bill to a conference committee where selected negotiators from both sides will come together to work toward a compromise.

Warmest regards,

Donna