

HOUSE No. 1760

The Commonwealth of Massachusetts

PRESENTED BY:

Marc T. Lombardo and Alyson M. Sullivan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the protection for children born alive.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	<i>2/9/2021</i>
<i>Alyson M. Sullivan</i>	<i>7th Plymouth</i>	<i>2/9/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/24/2021</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/24/2021</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/26/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/26/2021</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>2/26/2021</i>

HOUSE No. 1760

By Representatives Lombardo of Billerica and Sullivan of Abington, a petition (accompanied by bill, House, No. 1760) of Marc T. Lombardo, Alyson M. Sullivan and others relative to abortion. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the protection for children born alive.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to save the lives of babies, and to protect girls, women, and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws, Section 12K, is hereby amended by
2 striking out those paragraphs that begin with the words, "Nurse midwife", "Nurse practitioner",
3 and "Physician assistant".

4 SECTION 2. Chapter 112 of the General Laws is hereby amended by striking out
5 sections 12M and 12O, as so appearing, and inserting in place thereof the following sections:

6 Section 12M. If a pregnancy has existed for less than twenty-four weeks no abortion may
7 be performed except by a physician and only if, in the best medical judgment of a physician, the
8 abortion is necessary under all attendant circumstances.

9 Section 12O. If an abortion is performed pursuant to section twelve N, the physician
10 performing the abortion shall take all reasonable steps, both during and subsequent to the
11 abortion, in keeping with good medical practice, consistent with the procedure being used, to
12 preserve the life and health of the aborted child. Such steps shall include the presence of life-
13 supporting equipment, as defined by the department of public health, in the room where the
14 abortion is to be performed.

15 SECTION 3. Chapter 112 of the General Laws, Section 12Q, is hereby amended by
16 striking out the phrase, "physician assistant, certified nurse practitioner or certified nurse
17 midwife."

18 SECTION 4. Chapter 112 of the General Laws, Section 12R, is hereby amended by
19 striking out the number "16" wherever it so appears and inserting in place thereof the number
20 "18"; striking out wherever they so appear the phrase, "physician assistant, nurse practitioner or
21 nurse midwife"; and striking out the final sentence of said Section 12R