

# HOUSE . . . . . No. 4770

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## The Commonwealth of Massachusetts

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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**

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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.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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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8 are hereby repealed.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.”.