

1 because of the unborn child's actual or presumed race or sex or the presence or presumed presence
2 of Down syndrome; probable health consequences of the abortion; and an ultrasound image of
3 the unborn child that depicts the measurements. The qualified physician shall provide this
4 information, including the ultrasound image, to the Department of Health and Human Services
5 pursuant to G.S. 14-45.1(c). The physician must provide a signature attesting that the information
6 contained in the report is true and correct to the best of the physician's knowledge.

7 A qualified physician who procures or causes a miscarriage or abortion after the twentieth
8 week of a woman's pregnancy shall record the findings and analysis on which the qualified
9 physician based the determination that there existed a medical emergency as defined by
10 G.S. 90-21.81(5) and shall provide that information to the Department of Health and Human
11 Services pursuant to G.S. 14-45.1(c). Materials generated by the physician or provided by the
12 physician to the Department of Health and Human Services pursuant to this section shall not be
13 public records under G.S. 132-1.

14 The information provided under this subsection shall be for statistical purposes only, and the
15 confidentiality of the patient and the physician shall be protected. It is the duty of the qualified
16 physician to submit information to the Department of Health and Human Services that omits
17 identifying information of the patient and complies with Health Insurance Portability and
18 Accountability Act of 1996 (HIPAA)."

19 **SECTION 2.** This act becomes effective September 1, 2021, and applies to all
20 abortions performed on or after that date.