

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

Senate Bill 250
Finance

(Senator Simonaire, *et al.*)

Health - Medical Procedures - Ultrasound Options

This bill requires that a pregnant woman receiving an abortion have the opportunity to view the active ultrasound image of the embryo or fetus if an obstetric ultrasound examination is performed at any time prior to the abortion. If an ultrasound exam will be part of the abortion procedure, the physician must provide the opportunity to view the image prior to performing or inducing the abortion. The physician also must offer the pregnant woman a physical picture of the ultrasound image. The physician must comply with these requirements at no additional charge to the pregnant woman.

Fiscal Summary

State Effect: None. The bill does not materially affect State operations or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: An abortion has to be performed by a licensed physician. With some specified exceptions, Maryland law requires a physician to notify an unmarried minor's parent or guardian before performing an abortion. Maryland law does not specifically address information that must be provided to the patient before performing an abortion.

Background: Several states have moved to make ultrasounds part of abortion service provisions. In 14 states, laws require abortion providers to offer the woman the opportunity to view an image of her fetus before performing an abortion. Arizona and

Florida laws require that this opportunity be provided for abortions performed after the first trimester.

In 2005, 1.2 million American women obtained abortions, producing a rate of 19.4 abortions per 1,000 women of reproductive age. This rate declined 9% from 2000, when the abortion rate was 21.3 abortions per 1,000 women. In 2005, 37,590 women in Maryland obtained abortions at a rate of 31.5 abortions per 1,000 women of reproductive age. This represents an 8% increase in abortions since 2000, when the rate was 29 abortions per 1,000 women. In 2005, 87% of U.S. counties had no abortion provider and one-third of American women who received abortions that year had to travel outside their county to obtain an abortion. Therefore, it is likely some of women who received abortions in Maryland were from other states, while some Maryland residents had abortions in other states. For this reason, the Maryland rate may not accurately reflect the abortion rate of State residents.

Small Business Effect: A minimal increase in expenditures may occur for some abortion providers who have to provide images of an ultrasound to a patient who is receiving an abortion. In 2005, there were 40 abortion providers in the State.

Additional Information

Prior Introductions: SB 195 of 2009, which would only have applied in Anne Arundel County, received an unfavorable report from the Senate Finance Committee.

Cross File: None.

Information Source(s): Guttmacher Institute, Department of Health and Mental Hygiene, Maryland Insurance Administration, Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2010
ncs/mwc

Analysis by: Erin McMullen

Direct Inquiries to:
(410) 946-5510
(301) 970-5510