

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Geller offered the following:

Substitute Amendment for Amendment (329461)

Remove lines 71-126 and insert:

2. A licensed mental health counselor, a licensed psychologist, or a licensed psychiatrist certifies in the minor's medical record that abortion is in the best interest of the minor's mental health;

3. Notice is waived in writing by the person who is entitled to notice and such waiver is notarized, dated not more than 30 days before the termination of pregnancy, and contains a specific waiver of the right of the parent or legal guardian to notice of the minor's termination of pregnancy;

311123

Approved For Filing: 2/14/2020 4:39:40 PM

Amendment No.

14 ~~4.3.~~ Notice is waived by the minor who is or has been
15 married or has had the disability of nonage removed under s.
16 743.015 or a similar statute of another state;

17 ~~5.4.~~ Notice is waived by the patient because the patient
18 has a minor child dependent on her; or

19 ~~6.5.~~ Notice is waived under subsection (6) ~~(4)~~.

20 (5) PARENTAL CONSENT REQUIRED.-

21 (a) A physician must obtain written consent from a parent
22 or legal guardian before performing or inducing the termination
23 of a pregnancy of a minor.

24 1. The consenting parent or legal guardian shall provide
25 to the physician a copy of a government-issued proof of
26 identification and written documentation establishing that he or
27 she is the lawful parent or legal guardian of the minor. The
28 parent or legal guardian shall certify in a signed, dated, and
29 notarized document, initialed on each page, that he or she
30 consents to the termination of the pregnancy of the minor. The
31 document must include the following statement, which must
32 precede the signature of the parent or guardian: "I, (insert
33 legal name of parent or legal guardian), am the (select "parent"
34 or "legal guardian," as appropriate) of (insert name of minor)
35 and give consent for (insert name of physician) to perform or
36 induce a termination of pregnancy on her. Under penalties of
37 perjury, I declare that I have read the foregoing statement and
38 that the facts stated in it are true." A copy of the parent's or

311123

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Amendment No.

39 legal guardian's government-issued proof of identification
40 establishing that he or she is the minor's lawful parent or
41 legal guardian must be attached to the notarized document.

42 2. The physician shall keep a copy of the proof of
43 identification of the parent or legal guardian and the certified
44 statement in the medical file of the minor for 5 years after the
45 minor reaches the age of 18 years, but in no event less than 7
46 years.

47 3. A physician receiving consent from a parent or guardian
48 under this section shall execute for inclusion in the medical
49 record of the minor an affidavit stating: "I, (insert name of
50 physician), certify that, according to my best information and
51 belief, a reasonable person under similar circumstances would
52 rely on the information presented by both the minor and her
53 parent or legal guardian as sufficient evidence of identity."

54 (b) The consent of a parent or guardian is not required
55 if:

56 1. Notification is not required as provided in
57 subparagraph (4) (b)1., subparagraph (4) (b)3., subparagraph
58 (4) (b)4., or subparagraph (4) (b)5.;

59 2. Notification is not required due to the existence of a
60 waiver as provided in subparagraph (4) (b)2., if that waiver is
61 signed by the minor's parent or legal guardian, is notarized, is
62 dated within 30 days before the termination of the pregnancy,
63 contains a specific waiver of the right of the parent or legal

311123

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Amendment No.

64 guardian to consent to the minor's termination of pregnancy, and
65 a copy of a government-issued proof of identification and
66 written documentation establishing that the person who signed
67 the waiver is the lawful parent or legal guardian, as
68 applicable, of the minor is attached to the waiver;
69 3. Consent is waived under subsection (6);
70 4. A licensed mental health counselor, a licensed
71 psychologist, or a licensed psychiatrist certifies in the
72 minor's medical record that abortion is in the best interest of
73 the minor's mental health; or
74 5. In the physician's good faith clinical judgment, a

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