

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Nixon offered the following:

Amendment (with title amendment)

Between lines 12 and 13, insert:

Section 1. Paragraph (b) of subsection (4) and paragraph (b) of subsection (5) of section 390.01114, Florida Statutes, are amended to read:

390.01114 Parental Notice of and Consent for Abortion Act.—

(4) NOTIFICATION REQUIRED.—

(b) Notice is not required if:

1. In the physician's good faith clinical judgment, a medical emergency exists and there is insufficient time for the

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14 attending physician to comply with the notification
15 requirements. If a medical emergency exists, the physician shall
16 make reasonable attempts, whenever possible, without endangering
17 the minor, to contact the parent or legal guardian, and may
18 proceed, but must document reasons for the medical necessity in
19 the patient's medical records. The physician shall provide
20 notice directly, in person or by telephone, to the parent or
21 legal guardian, including details of the medical emergency and
22 any additional risks to the minor. If the parent or legal
23 guardian has not been notified within 24 hours after the
24 termination of the pregnancy, the physician shall provide notice
25 in writing, including details of the medical emergency and any
26 additional risks to the minor, signed by the physician, to the
27 last known address of the parent or legal guardian of the minor,
28 by first-class mail and by certified mail, return receipt
29 requested, with delivery restricted to the parent or legal
30 guardian;

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

36 3. Notice is waived by the minor who is or has been
37 married or has had the disability of nonage removed under s.
38 743.015 or a similar statute of another state;

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39 4. Notice is waived by the patient because the patient has
40 a minor child dependent on her;

41 5. The minor is 16 or 17 years of age and legally
42 employed; or

43 ~~6.5.~~ Notice is waived under subsection (6).

44 (5) PARENTAL CONSENT REQUIRED.-

45 (b) The consent of a parent or guardian is not required
46 if:

47 1. Notification is not required as provided in
48 subparagraph (4)(b)1., subparagraph (4)(b)3., subparagraph
49 (4)(b)4., or subparagraph (4)(b)5.;

50 2. Notification is not required due to the existence of a
51 waiver as provided in subparagraph (4)(b)2., if that waiver is
52 signed by the minor's parent or legal guardian, is notarized, is
53 dated within 30 days before the termination of the pregnancy,
54 contains a specific waiver of the right of the parent or legal
55 guardian to consent to the minor's termination of pregnancy, and
56 a copy of the parent's or legal guardian's government-issued
57 proof of identification is attached to the waiver;

58 3. Consent is waived under subsection (6);

59 4. The minor is 16 or 17 years of age and legally
60 employed; or

61 ~~5.4.~~ In the physician's good faith clinical judgment, a
62 medical emergency exists and there is insufficient time for the
63 attending physician to comply with the consent requirement. If a

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64 | medical emergency exists, the physician must make reasonable
65 | attempts, whenever possible, and without endangering the minor,
66 | to contact the parent or legal guardian of the minor, and may
67 | proceed, but must document reasons for the medical necessity in
68 | the minor patient's medical records. The physician shall inform
69 | the parent or legal guardian, in person or by telephone, within
70 | 24 hours after the termination of the pregnancy of the minor,
71 | including details of the medical emergency that necessitated the
72 | termination of the pregnancy without the parent's or legal
73 | guardian's consent. The physician shall also provide this
74 | information in writing to the parent or legal guardian at his or
75 | her last known address, by first-class mail or by certified
76 | mail, return receipt requested, with delivery restricted to the
77 | parent or legal guardian.

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T I T L E A M E N D M E N T

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Remove line 2 and insert:

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An act relating to the regulation of minors; amending

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s. 390.01114, F.S.; providing that notification and

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consent for an abortion are not required if a minor is

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a certain age and legally employed;

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