

1 **H. B. 2064**

2
3 (By Delegate Evans)

4 [Introduced January 12, 2011; referred to the
5 Committee on Health and Human Resources then the
6 Judiciary.]
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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §33-42-9, relating to
12 requiring a woman, prior to an abortion, to have a pregnancy
13 test administered at the facility where the abortion is to be
14 performed; providing that the pregnancy test results must be
15 confirmed prior to the abortion; and providing for the
16 revocation of the license of a physician for violations.

17 *Be it enacted by the Legislature of West Virginia:*

18 That the Code of West Virginia, 1931, as amended, be amended
19 by adding thereto a new section, designated §33-42-9, to read as
20 follows:

21 **ARTICLE 42. WOMEN'S ACCESS TO HEALTH CARE ACT.**

22 **§33-42-9. Pregnancy test required at facility where abortion to be**
23 **performed; penalty.**

24 (a) An abortion may not be performed upon a woman before a

1 pregnancy test has been administered in the medical facility where
2 the abortion is to be performed and the pregnancy test results have
3 been confirmed prior to the abortion.

4 (b) The West Virginia Board of Medicine shall revoke the
5 licence of any physician violating the provisions of this section
6 for not less than ten years.

7 (c) Nothing contained in this section may be construed or
8 interpreted to endorse, allow, permit or approve of any abortion.

NOTE: The purpose of this bill is to require a woman, prior to an abortion, to have a pregnancy test administered at the facility where the abortion is to be performed, and the pregnancy test results must be confirmed prior to the abortion. The bill also provides that the license of a physician may be revoked for violations.

§33-42-9 is new; therefore, it has been completely underscored.