HOUSE DOCKET, NO. 218 FILED ON: 1/8/2013

# HOUSE . . . . . No. 1597

## The Commonwealth of Massachusetts

PRESENTED BY:

***Tom Sannicandro and David Paul Linsky***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to responsible counseling.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Tom Sannicandro* | *7th Middlesex* |
| *David Paul Linsky* | *5th Middlesex* |
| *Carlo Basile* | *1st Suffolk* |
| *Frank I. Smizik* | *15th Norfolk* |
| *Louis L. Kafka* | *8th Norfolk* |
| *John W. Scibak* | *2nd Hampshire* |
| *Danielle W. Gregoire* | *4th Middlesex* |
| *Martha M. Walz* | *8th Suffolk* |
| *Peter V. Kocot* | *1st Hampshire* |
| *Lori A. Ehrlich* | *8th Essex* |
| *Ruth B. Balser* | *12th Middlesex* |
| *Sarah K. Peake* | *4th Barnstable* |
| *Kay Khan* | *11th Middlesex* |
| *Katherine M. Clark* | *Fifth Middlesex* |
| *Chris Walsh* | *6th Middlesex* |
| *Paul Brodeur* | *32nd Middlesex* |
| *Carl M. Sciortino, Jr.* | *34th Middlesex* |
| *Mary S. Keefe* | *15th Worcester* |

| | |
|---|---|
| *Elizabeth A. Malia* | *11th Suffolk* |
| *Jonathan Hecht* | *29th Middlesex* |
| *Ellen Story* | *3rd Hampshire* |
| *Jay R. Kaufman* | *15th Middlesex* |
| *Brian R. Mannal* | *2nd Barnstable* |
| *Thomas P. Conroy* | *13th Middlesex* |
| *Denise Provost* | *27th Middlesex* |
| *Denise Andrews* | *2nd Franklin* |
| *David M. Rogers* | *24th Middlesex* |
| *Aaron Vega* | *5th Hampden* |
| *Cory Atkins* | *14th Middlesex* |
| *Kenneth I. Gordon* | *21st Middlesex* |
| *Carolyn C. Dykema* | *8th Middlesex* |
| *Jason M. Lewis* | *31st Middlesex* |
| *Carlos Henriquez* | *5th Suffolk* |
| *Alice Hanlon Peisch* | *14th Norfolk* |
| *Theodore C. Speliotis* | *13th Essex* |
| *Paul McMurtry* | *11th Norfolk* |

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# HOUSE . . . . . No. 1597

By Messrs. Sannicandro of Ashland and Linsky of Natick, a petition (accompanied by bill, House, No. 1597) of Tom Sannicandro, David Paul Linsky and others relative to written consent of a parent or legal guardian and counseling of minor pregnant women seeking aboritions. The Judiciary.

## The Commonwealth of Massachusetts

An Act relative to responsible counseling.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The second paragraph of section 12S of chapter 112 of the General Laws is hereby amended by striking out the second, third, fourth, fifth, and sixth sentences and inserting in place thereof the following language:—

If a pregnant woman is less than eighteen years of age and has not married, no physician may perform an abortion upon her unless the attending physician has received and made part of the medical record the written consent of the pregnant woman and:

(1)the written consent of a parent, a legal guardian, a foster parent, or an adult family member twenty-five years of age or older; or

(2)the authorization of a judge of the superior court department of the trial court; or

(3)the written certification by an authorized individual that he has counseled the pregnant woman regarding alternative choices available to manage the pregnancy and the option of involving the woman's parents, guardians, or other adult family members in her decision-making.

An authorized individual shall be either a medical professional registered under section two, nine F, seventy-four, or seventy-four A of this chapter, or a mental health professional licensed under section one hundred nineteen or one hundred thirty-one of this chapter. The commissioner of public health shall prescribe a form for the authorized individual to use in certifying that he has provided counseling in accordance with this section. A family member

20 shall be one of the pregnant woman's grandparents or their lineal descendants, including those
21 by adoption, and spouses of any such persons.