



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1949/1
TJD:kjf

2021 ASSEMBLY BILL 262

April 16, 2021 - Introduced by Representatives WICHGERS, GUNDRUM, ALLEN, ARMSTRONG, BRANDTJEN, BROOKS, CABRAL-GUEVARA, DITTRICH, EDMING, HORLACHER, MOSES, PETERSEN, RAMTHUN, ROZAR, SANFELIPPO, SCHRAA, THIESFELDT, TITTL and TUSLER, cosponsored by Senators JACQUE, BALLWEG, BRADLEY, NASS and BERNIER. Referred to Committee on Health.

1 **AN ACT to amend** 69.186 (2) (intro.) and (a); and **to create** 69.186 (1) (am), 69.186
2 (1) (m) and 69.186 (1) (n) of the statutes; **relating to:** induced abortion
3 reporting.

Analysis by the Legislative Reference Bureau

This bill requires a hospital, clinic, or other facility in which an induced abortion is performed to report the following additional information in its required report to the Department of Health Services: the sex of the aborted unborn child if determined by visual inspection, whether the aborted unborn child had a fetal anomaly, the nature of the fetal anomaly if there was one, and the name of the hospital, clinic, or other facility at which the induced abortion was performed. Under current law, the report must include, among other pieces of information, for each patient the state, and county if Wisconsin, of residence; certain demographic information; month and year in which the abortion was performed; number of weeks since patient's last menstrual period; whether the abortion was chemically or surgically induced or surgically induced following a failed chemical abortion; any resulting complications; and certain information for abortions of an unborn child capable of experiencing pain.

Under current law, DHS is required to collect the reported information in a manner that ensures anonymity of the patient who obtained the abortion, the health care provider who performed the abortion, and the facility in which the abortion was performed. DHS is also required to publish annual demographic summaries of the reported information except what reveals the identity of a patient, provider, or

ASSEMBLY BILL 262

facility. The bill eliminates the anonymity for the facility in which the abortion was performed while retaining anonymity for the patient and the individual health care provider. The bill requires reporting summaries of the information by hospital, clinic, or other facility that reports performing an induced abortion.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 69.186 (1) (am) of the statutes is created to read:

2 69.186 (1) (am) The name of the hospital, clinic, or other facility at which the
3 induced abortion was performed.

4 **SECTION 2.** 69.186 (1) (m) of the statutes is created to read:

5 69.186 (1) (m) The sex of the aborted unborn child, if the sex can be determined
6 by visual inspection.

7 **SECTION 3.** 69.186 (1) (n) of the statutes is created to read:

8 69.186 (1) (n) Whether the aborted unborn child had a fetal anomaly and, if so,
9 the nature of the fetal anomaly.

10 **SECTION 4.** 69.186 (2) (intro.) and (a) of the statutes are amended to read:

11 69.186 (2) (intro.) The department shall collect the information under sub. (1)
12 in a manner which the department shall specify and which ensures the anonymity
13 of a patient who receives an induced abortion, ~~a~~ and any individual health care
14 provider who provides an induced abortion ~~and a hospital, clinic or other facility in~~
15 ~~which an induced abortion is performed.~~ The department shall publish annual
16 demographic summaries of the information obtained under this section, including
17 summaries of the information by hospital, clinic, or other facility that reports
18 performing an induced abortion, except that the department may not disclose any
19 information obtained under this section that reveals the identity of any patient, or

ASSEMBLY BILL 262

1 ~~any individual~~ health care provider ~~or hospital, clinic or other facility~~ and shall
2 ensure anonymity in all of the following ways:

3 (a) The department may use information concerning the patient number under
4 sub. (1) (b) ~~or concerning the identity of a specific reporting hospital, clinic or other~~
5 ~~facility~~ for purposes of information collection only and may not reproduce or
6 extrapolate this information for any purpose.

7 (END)