

Amendment to SB 36

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Collection and Reporting of Abortion Statistics. RSA 329:49 is repealed and reenacted to read
4 as follows:

5 329:49 Collection and Reporting of Abortion Statistics.

6 I. Any health care provider who performs an abortion as defined in RSA 132:32, I, shall
7 report the following information in writing to the medical facility in which the abortion is performed:

- 8 (a) Date when the abortion was performed;
9 (b) County where the abortion was performed;
10 (c) Age group of the pregnant patient when the abortion was performed;
11 (d) Residence of patient as “in-state” or “out-of-state” when the abortion was performed;
12 (e) Method used to perform the abortion; and
13 (f) Estimated gestational age when the abortion was performed.

14 II. The aggregated report containing the information and data required by this section shall
15 be transmitted by the medical facility to the department of health and human services. These
16 reports shall not identify the patient or health care provider by name or include other personally
17 identifiable information.

18 III. The commissioner of the department of health and human services shall prepare from
19 these data such aggregated statistical trends and tables with respect to maternal health, abortion
20 methods, and estimated gestational age, and shall make an annual aggregated report thereof to the
21 general court.

22 IV. The commissioner of health and human services shall adopt rules, pursuant to RSA 541-
23 A, relative to:

- 24 (a) The form in which data shall be filed under paragraph I.
25 (b) The cadence of reporting from medical facilities.
26 (c) Confidentiality of data collected and disclosed under this section subject to the
27 provisions of this section.
28 (d) Procedures and written requirements for obtaining, using, and protecting data
29 provided by the department of health and human services under this section.

30 V. Any medical facility that willfully fails to comply with the provisions of this section shall
31 be subject to an administrative fine of \$100 for each business day of noncompliance.

32 2 Effective Date. This act shall take effect January 1, 2027.

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AMENDED ANALYSIS

This bill requires the collection and reporting of certain abortion statistics by health care providers, medical facilities, and the department of health and human services. The reporting requirement replaces a provision in the fetal life protection act stating that nothing in the subdivision shall be construed as creating or recognizing a right to abortion.