

## Woman's Right to Know – 2009 Summary Report

June 28, 2010

### Background and Requirements

The "Woman's Right to Know Act" (H.B. 197) was passed by the General Assembly during the 2005 Georgia Legislative Session and became effective as of July 1, 2005. The Act requires that:

- Physicians offer women seeking abortions information about issues such as a description of abortion procedures; medical risks associated with abortion and childbirth; and a description of fetal development at two-week intervals.
- Physicians offer women information about public and private services available to assist throughout pregnancy, upon child birth, and while the child is dependent, including adoption agencies.
- Minors must either be accompanied by a parent or guardian with proper identification or a minor's parent or guardian must be notified in person, by telephone, or by mail at least 24 hours prior to the abortion being performed.
- Physicians must complete an annual web-based report on their compliance with the informed consent and parental notification portions of this law and submit the information to DCH. DCH must publish a report which aggregates physician response.
- A CD ROM with all materials mailed to approximately 27,500 physicians.

Calendar year 2006 is the first reporting year under the law.

Data have been extracted and a report developed. Key findings are provided below.

### Findings from Calendar Year 2009 (Aggregate Data)

**Parental Notification/Consent** (this reporting form applies to unemancipated minors under the age of 18 seeking an abortion ONLY)

- Physicians and facilities reported that [1,597](#) unemancipated minors, under the age of 18 years had a parent, guardian, appointed guardian or conservator who was provided at least 24 hours notice by the physician or qualified agent that an abortion is to be performed upon the minor, including the name and address of the place where the abortion will be performed.

- Reporting was incomplete on how notification was provided. [At least 129](#) notices were provided in person, and [none](#) were reportedly provided by certified mail.
- Physicians and facilities reported that of the [1,597](#) unemancipated minors whose parent, guardian, appointed guardian or conservator was provided notification, to the best of their knowledge, [262](#) went on to obtain an abortion.
- Physicians and facilities reported that they received [667](#) written certifications from parents, guardians, appointed guardians or conservators acknowledging that they had been previously informed that minor was seeking an abortion and certified that the abortion may proceed.
- Physicians and facilities reported that they received [54](#) written certification from parents, guardians, appointed guardians or conservators acknowledging that they had not been previously informed that minor was seeking an abortion and certified that the abortion may proceed.
- Physicians and facilities reported that for [6](#) females they performed an abortion without providing notice to the parent, guardian, appointed guardian or conservator that an abortion was to be performed on the minor because the minor filed a petition for waiver of requirements.

**Informed Consent** (this reporting form applies to all females seeking an abortion)

- Physicians reported that [24,637](#) females were provided information, 24 hours before the abortion, concerning the medical risks associated with abortion procedure to be employed when medically accurate; the probable gestational age of the unborn child at the time the abortion is to be performed and the medical risk associated with carrying the unborn child to term.
- Physicians reported that there were [32,956](#) females to whom the physician or qualified agent provided information indicating that medical assistance benefits may be available for prenatal care, childbirth and neonatal care; that the father will be liable to assist in the support of her child; and that she has the right to review printed materials that describe the unborn child, list agencies that provide alternatives to abortion, and contain information on fetal pain, and that these materials are available on a state sponsored website.
- Physicians reported that to the best of their knowledge, [14,097](#) females went on to obtain an abortion.
- Physicians reported that [44,490](#) females were provided the opportunity to view the fetal image and/or hear the fetal heartbeat, if present.
- Of this total, physicians reported that [11,087](#) females elected to view sonogram and/or hear the fetal heartbeat, if present.