

---

SENATE BILL 6071

---

State of Washington

65th Legislature

2018 Regular Session

By Senators Fortunato and Padden

Prefiled 01/04/18. Read first time 01/08/18. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to requiring consumer notifications in certain  
2 facilities where abortions are performed; amending RCW 9.02.170;  
3 adding a new section to chapter 9.02 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature's purpose in enacting this  
6 language is to further the important and compelling state interests  
7 of:

- 8 (1) Protecting patient's safety and well-being;  
9 (2) Ensuring transparency; and  
10 (3) Promoting patient education and choice.

11 **Sec. 2.** RCW 9.02.170 and 1992 c 1 s 8 are each amended to read  
12 as follows:

13 For purposes of this chapter:

- 14 (1) "Viability" means the point in the pregnancy when, in the  
15 judgment of the physician on the particular facts of the case before  
16 such physician, there is a reasonable likelihood of the fetus's  
17 sustained survival outside the uterus without the application of  
18 extraordinary medical measures.

1 (2) "Abortion" means any medical treatment intended to induce the  
2 termination of a pregnancy except for the purpose of producing a live  
3 birth.

4 (3) "Pregnancy" means the reproductive process beginning with the  
5 implantation of an embryo.

6 (4) "Physician" means a physician licensed to practice under  
7 chapter 18.57 or 18.71 RCW in the state of Washington.

8 (5) "Health care provider" means a physician or a person acting  
9 under the general direction of a physician.

10 (6) "State" means the state of Washington and counties, cities,  
11 towns, municipal corporations, and quasi-municipal corporations in  
12 the state of Washington.

13 (7) "Private medical facility" means any medical facility that is  
14 not owned or operated by the state.

15 (8) "Abortion facilities" means any place where abortions are  
16 performed, except medical facilities licensed and regulated by the  
17 state as of the effective date of this section, including hospitals  
18 licensed under chapters 70.41 and 71.12 RCW and ambulatory surgical  
19 facilities licensed under chapter 70.230 RCW.

20 NEW SECTION. Sec. 3. A new section is added to chapter 9.02 RCW  
21 to read as follows:

22 (1) Abortion facilities shall publicize the following notice in  
23 English, Spanish, and any additional languages required for public  
24 notice for health facilities in each county: "This facility does not  
25 meet the health standards of an outpatient surgery center."

26 (2)(a) The notice required in subsection (1) of this section must  
27 be publicized for consumers on-site at the facility and in all print  
28 and digital advertising, including on internet web sites.

29 (b) Notices on-site at the facility must:

30 (i) Be printed on at least 11.7 inch by 16.5 inch size paper and  
31 written in a minimum of forty-eight point font type;

32 (ii) Be posted in a location and manner easy to read;

33 (iii) Be displayed at the entrance of the facility and at least  
34 once more in a location where patients wait to receive services; and

35 (iv) Not contain any other statements or markings.

36 (c) Notice in print and digital advertising must be clear and  
37 visible, displayed in larger font than surrounding text, and in  
38 contrasting type, font, or color to any surrounding text.

1        NEW SECTION.    **Sec. 4.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

--- END ---