



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4445

Introduced 1/21/2022, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

New Act

Creates the Informed Consent of Minors for Abortion Act. Provides that no person shall perform or induce an abortion for a patient under the age of 18, unless, at least 72 hours prior thereto, the patient has conferred with a licensed professional counselor, licensed clinical professional counselor, or qualified examiner and discussed the indicators, contraindications, risk factors, and the use of medications. Provides that if the patient chooses to proceed with the abortion after a conference, the licensed professional counselor, licensed clinical professional counselor, or qualified examiner shall sign and shall cause the patient to sign a written statement that the patient has given the patient's informed consent freely and without coercion.

LRB102 22307 LNS 31442 b

1 AN ACT concerning abortion.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Informed Consent of Minors for Abortion Act.

6 Section 5. Definitions. As used in this Act:

7 "Licensed clinical professional counselor" has the meaning
8 provided in Section 10 of the Professional Counselor and
9 Clinical Professional Counselor Licensing and Practice Act.

10 "Licensed professional counselor" has the meaning provided
11 in Section 10 of the Professional Counselor and Clinical
12 Professional Counselor Licensing and Practice Act.

13 "Qualified examiner" has the meaning provided in Section
14 1-122 of the Mental Health and Developmental Disabilities
15 Code.

16 Section 10. Informed consent of minors for abortion.

17 (a) Except in the case of a medical emergency, no person
18 shall perform or induce an abortion for a patient under the age
19 of 18 unless, at least 72 hours prior thereto, the patient has
20 conferred with a licensed professional counselor, licensed
21 clinical professional counselor, or qualified examiner and
22 discussed the indicators, contraindications, risk factors,

1 including any physical, psychological, or situational factors
2 for the proposed procedure, and the use of medications,
3 including, but not limited to, mifepristone, in light of the
4 patient's medical history and medical condition. For an
5 abortion performed or an abortion induced by a drug or drugs,
6 the conference shall take place at least 72 hours prior to the
7 writing or communication of the first prescription for the
8 drug or drugs in connection with inducing an abortion. Only
9 one conference shall be required for each abortion. The
10 licensed professional counselor, licensed clinical
11 professional counselor, or qualified examiner shall not be
12 employed on a permanent, temporary, or contractual basis by
13 the facility that will perform the abortion or prescribe the
14 medications that are to be used in connection with inducing an
15 abortion.

16 (b) The patient shall be evaluated during the conference
17 for indicators, contraindications, and risk factors, including
18 any physical, psychological, or situational factors which
19 would predispose the patient to or increase the risk of
20 experiencing one or more adverse physical, emotional, or other
21 health reactions to the proposed procedure or drug or drugs in
22 either the short-term or long-term as compared with other
23 patients who do not possess such risk factors.

24 (c) At the end of the conference, and if the patient
25 chooses to proceed with the abortion, the licensed
26 professional counselor, licensed clinical professional

1 counselor, or qualified examiner shall sign and shall cause
2 the patient to sign a written statement that the patient has
3 given the patient's informed consent freely and without
4 coercion after the licensed professional counselor, licensed
5 clinical professional counselor, or qualified examiner had
6 discussed with the patient the indicators, contraindications,
7 and risk factors, including any physical, psychological, or
8 situational factors. All executed statements shall be
9 maintained as part of the patient's medical file, subject to
10 the confidentiality laws and rules of this State.