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**SENATE BILL 6071**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Fortunato and Padden

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

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

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

(1) Protecting patient's safety and well-being;

(2) Ensuring transparency; and

(3) Promoting patient education and choice.

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

For purposes of this chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iv) Not contain any other statements or markings.

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

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

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