

641—89.22(135L) Exceptions to notification of parent. The requirements of rule 89.21(135L) do not apply if any of the following conditions exist:

89.22(1) The abortion is authorized in writing by a parent entitled to notification.

89.22(2) The pregnant minor declares, in a written statement submitted to the licensed physician who will perform the abortion, a reason for not notifying a parent and a reason for notifying a grandparent of the pregnant minor in lieu of the notification of a parent.

a. The licensed physician who will perform the abortion shall keep all written documentation as a part of the minor's medical record relating to the termination of the pregnancy.

b. Upon receipt of the written statement from the pregnant minor, the licensed physician who will perform the abortion shall provide notification to a grandparent of the pregnant minor, specified by the pregnant minor, in the manner in which the notification of a parent was prescribed in rule 89.21(135L).

c. The notification form shall be in duplicate in the form that may be provided by the department or shall be in duplicate and include, at a minimum, the following:

(1) The name of the minor.

(2) Notification of the intent to terminate the pregnancy.

(3) The name, address, and relationship of the person to be notified.

(4) A declaration which informs the grandparent of the pregnant minor that the grandparent of the pregnant minor may be subject to civil action if the grandparent accepts notification.

(5) A provision that the grandparent of the pregnant minor may refuse acceptance of notification and a provision that the grandparent immediately contact the licensed physician if refusing acceptance of the notification.

d. The licensed physician who will perform the abortion shall keep the original notification form as a part of the minor's medical record relating to the termination of the pregnancy.

e. A copy of the completed notification form shall be provided to the pregnant minor.

89.22(3) The licensed physician who will perform the abortion certifies in writing that a medical emergency exists which necessitates the immediate performance of an abortion in accordance with Iowa Code chapter 135L. The physician shall certify in writing the basis for the medical judgment that a medical emergency exists and place this written certification in the medical file of the pregnant minor.

89.22(4) The pregnant minor declares that the pregnant minor is a victim of child abuse pursuant to Iowa Code section 232.68, the person responsible for the care of the child is a parent of the child, and either the abuse has been reported pursuant to the procedures prescribed in Iowa Code chapter 232, division III, part 2, or a parent of the child is named in a report of founded child abuse.

89.22(5) The pregnant minor declares that the pregnant minor is a victim of sexual abuse as defined in Iowa Code chapter 709 and has reported the sexual abuse to law enforcement.

89.22(6) The pregnant minor elects not to allow notification of the pregnant minor's parent and a court authorizes waiver of the notification requirement following completion of the proceedings prescribed under Iowa Code chapter 135L.