

# House Amendment 5948

## Amendment Text

PAG LIN

1 1 Amend the Senate amendment, [H-5927](#), to [House File](#)  
1 2 2050, as passed by the House, as follows:  
1 3 #1. Page 1, by striking lines 5 through 27 and  
1 4 inserting the following:  
1 5 ""Section 1. Section 135L.2, as enacted by 1996  
1 6 Iowa Acts, [Senate File 13](#), section 2, is amended to  
1 7 read as follows:  
1 8 135L.2 PROSPECTIVE MINOR PARENTS DECISION-MAKING  
1 9 ASSISTANCE PROGRAM ESTABLISHED.  
1 10 1. A decision-making assistance program is created  
1 11 to provide assistance to minors in making informed  
1 12 decisions relating to pregnancy. The program shall  
1 13 offer and include

~~all of the following:~~

~~1 14~~

~~a. (1) A video, to be developed by a person~~

~~1 15~~

~~selected through a request for proposals process or~~

~~1 16~~

~~other contractual agreement, which provides~~

~~1 17~~

~~information regarding the various options available to~~

~~1 18~~

~~a pregnant minor with regard to the pregnancy,~~

~~1 19~~

~~including a decision to continue the pregnancy to term~~

~~1 20~~

~~and retain parental rights following the child's~~

~~1 21~~

~~birth, a decision to continue the pregnancy to term~~

~~1 22~~

~~and place the child for adoption following the child's~~

~~1 23~~

~~birth, and a decision to terminate the pregnancy~~

~~1 24~~

~~through abortion. The video shall provide the~~

~~1 25~~

~~information in a manner and language, including but~~

~~1 26~~

~~not limited to, the use of closed captioning for the~~

~~1 27~~

~~hearing impaired, which could be understood by a~~

~~1 28~~

~~minor.~~

~~1 29~~

~~(2) The video shall explain that public and~~

~~1 30~~

~~private agencies are available to assist a pregnant~~

~~1 31~~

~~minor with any alternative chosen.~~

~~1 32~~

~~(3) The video shall explain that if the pregnant~~

~~1 33~~

~~minor decides to continue the pregnancy to term, and~~

~~1 34~~

~~to retain parental rights to the child, the father of~~

~~1 35~~

~~the child is liable for the support of the child.~~

~~1 36~~

~~(4) The video shall explain that tendering false~~

~~1 37~~

~~documents is a fraudulent practice in the fourth~~

~~1 38~~

~~degree pursuant to section 135L.7.~~

~~1 39~~

~~b. Written~~

~~written decision-making materials which~~

~~1 40 include all of the following:~~

~~1 41~~

~~(1)~~

- a. Information

~~regarding the options described~~

1 42

~~in the video including information~~

- regarding the

1 43 agencies and programs available to provide assistance  
1 44 to the pregnant minor in parenting a child;  
1 45 information relating to adoption including but not  
1 46 limited to information regarding child-placing  
1 47 agencies; and information regarding abortion including  
1 48 but not limited to the legal requirements relative to  
1 49 the performance of an abortion on a pregnant minor.  
1 50 The information provided shall include information  
2 1 explaining that if a pregnant minor decides to  
2 2 continue the pregnancy to term and to retain parental  
2 3 rights, the father of the child is liable for the  
2 4 support of the child and that if the pregnant minor  
2 5 seeks public assistance on behalf of the child, the  
2 6 pregnant minor shall, and if the pregnant minor is not  
2 7 otherwise eligible as a public assistance recipient,  
2 8 the pregnant minor may, seek the assistance of the  
2 9 child support recovery unit in establishing the  
2 10 paternity of the child, and in seeking support  
2 11 payments for a reasonable amount of the costs  
2 12 associated with the pregnancy, medical support, and  
2 13 maintenance from the father of the child, or if the  
2 14 father is a minor, from the parents of the minor  
2 15 father. The information shall include a listing of  
2 16 the agencies and programs and the services available  
2 17 from each.  
2 18

~~(2)~~

- b. A workbook

~~which is to be used in viewing~~

2 19

~~the video and~~

- which includes a questionnaire and

2 20 exercises to assist a pregnant minor in

~~viewing the~~

2 21

~~video and in~~

- considering the options available

2 22 regarding the minor's pregnancy.

2 23

~~(3)~~

- c. A detachable certification form to be

2 24 signed by the pregnant minor certifying that the  
2 25 pregnant minor was offered

~~a viewing of the video and~~

2 26 the written decision-making materials.

2 27

~~2. a. The video shall be available through the~~

2 28

~~state and local offices of the Iowa department of~~

2 29

~~public health, the department of human services, and~~

2 30

~~the judicial department and through the office of each~~

2 31

~~licensed physician who performs abortions.~~

2 32

~~b. The video may be available through the office~~

2 33

~~of any licensed physician who does not perform~~

2 34

~~abortions, upon the request of the physician; through~~

2 35

~~any nonprofit agency serving minors, upon the request~~

2 36

~~of the agency; and through any other person providing~~

2 37

~~services to minors, upon the request of the person.~~

2 38

~~3.~~

~~2.~~ During the initial appointment between a  
2 39 licensed physician and a pregnant minor, a licensed  
2 40 physician, who is providing medical services to a  
2 41 pregnant minor, shall offer

~~the viewing of the video~~

2 42

~~and~~

the written decision-making materials to the  
2 43 pregnant minor, and shall obtain the signed and dated  
2 44 certification form from the pregnant minor. If the  
2 45 pregnant minor has previously been offered the

~~viewing~~

2 46

~~of the video and the~~

written decision-making materials  
2 47 by another source, the licensed physician shall obtain  
2 48 the completed certification form from the other source  
2 49 to verify that the pregnant minor has been offered

~~the~~

2 50

~~viewing of the video and~~

~~the written decision-making~~

3 1 materials. A licensed physician shall not perform an

3 2 abortion on a pregnant minor prior to obtaining the

3 3 completed certification form from a pregnant minor.

3 4

~~If the pregnant minor decides to terminate parental~~

3 5

~~rights following the child's birth, a copy of the~~

3 6

~~completed certification form shall be attached to the~~

3 7

~~petition for termination of parental rights.~~

3 8

~~4.~~

~~3.~~ A pregnant minor shall be encouraged to

3 9 select a responsible adult, preferably a parent of the

3 10 pregnant minor, to accompany the pregnant minor in

3 11

~~viewing the video and~~

~~receiving the decision-making~~

3 12 materials.

3 13

~~5.~~

~~4.~~ To the extent possible and at the discretion

3 14 of the pregnant minor, the person responsible for

3 15 impregnating the pregnant minor shall also be involved

3 16 in the

~~viewing of the video and in the~~

~~receipt of~~

3 17 written decision-making materials.

3 18

~~6.~~

~~5.~~ Following the offering of the

~~viewing of the~~

3 19

~~video and of the~~

~~written decision-making materials,~~

3 20 the pregnant minor shall sign and date the

3 21 certification form attached to the materials, and

3 22 shall submit the completed form to the licensed

3 23 physician or provide the person making the offer with

3 24 information to send the completed form to the pregnant

3 25 minor's attending physician. The person offering the

3 26

~~viewing of the video and the~~

~~decision-making materials~~

3 27 shall also provide a copy of the completed

3 28 certification form to the pregnant minor."

3 29 #2. Page 1, line 28, by striking the word

3 30 "paragraph" and inserting the following: "paragraphs

3 31 b and".

3 32 #3. Page 1, line 30, by striking the word "is" and

3 33 inserting the following: "are".

3 34 #4. Page 1, by inserting after line 30 the

3 35 following:

3 36 "b. The pregnant minor may participate in the

3 37 court proceedings on the pregnant minor's own behalf.

3 38 The court may appoint a guardian ad litem for the

3 39 pregnant minor and the court shall appoint a guardian

3 40 ad litem for the pregnant minor if the pregnant minor

3 41 is not accompanied by a responsible adult

~~or if the~~

3 42

~~pregnant minor has not viewed the video as provided~~

3 43

~~pursuant to section 135L.2~~

~~In appointing a guardian~~

3 44 ad litem for the pregnant minor, the court shall

3 45 consider a person licensed to practice psychology

3 46 pursuant to chapter 154B, a licensed social worker

3 47 pursuant to chapter 154C, a licensed marital and

3 48 family therapist pursuant to chapter 154D, or a

3 49 licensed mental health counselor pursuant to chapter

3 50 154D to serve in the capacity of guardian ad litem.

4 1 The court shall advise the pregnant minor of the

4 2 pregnant minor's right to court-appointed legal

4 3 counsel, and shall, upon the pregnant minor's request,

4 4 provide the pregnant minor with court-appointed legal

4 5 counsel, at no cost to the pregnant minor."

4 6 #5. Page 1, by inserting after line 35 the

4 7 following:

4 8 "Sec. \_\_\_\_\_. Section 135L.5, subsections 6 through

4 9 10, as enacted by the 1996 Iowa Acts, [Senate File 13](#),

4 10 section 5, are amended to read as follows:

4 11 6. The advisory committee shall do all of the

4 12 following:

4 13

~~a. Develop criteria for the selection of a person,~~

4 14

~~through a request for proposals process or other~~

4 15

~~contractual agreement, to develop the video described~~

4 16

~~in this chapter. Following receipt of applications,~~

4 17

~~or upon agreement of a simple majority of the voting~~

4 18

~~members to a contractual agreement, the advisory~~

4 19

~~committee shall also select the recipient of the~~

4 20

~~contract for development of the video.~~

4 21

~~b. Develop criteria for information to be included~~

4 22

~~in the video. The criteria shall, at a minimum,~~

4 23

~~require that the person developing the video request~~

4 24

~~input from a variety of interest groups and~~

4 25

~~perspectives which have an interest in pregnancy~~

4 26

~~related issues and that the video present the various~~

4 27

~~perspectives in an unbiased manner.~~

4 28

~~c. Develop a process for and provide for the~~

4 29

~~distribution of the video and develop confidentiality~~

4 30

~~requirements relating to the persons involved in~~

4 31

~~viewing the video.~~

4 32

~~d.~~

~~a. Promote use of the~~

~~video and~~

~~written~~

4 33 decision-making materials through public service

4 34 announcements and other media formats.

4 35

~~e.~~

- b. Provide ongoing evaluation of the  
4 36 prospective minor parents decision-making assistance  
4 37 program including evaluation of the

~~video and~~

- written  
4 38 document and of the notification and waiver system,  
4 39 and make recommendations for improvement.  
4 40

~~f.~~

- c. Receive input from the public regarding the  
4 41 program through the use of public hearings, focus  
4 42 groups, surveys, and other formats.  
4 43 7. The committee, upon the advice of the Iowa  
4 44 department of public health, may receive gifts,  
4 45 grants, or donations for the purpose of implementing  
4 46 and continuing the program.  
4 47

~~8. The advisory committee and the producer of the~~

~~-~~

4 48

~~video shall attempt to complete and distribute the~~

~~-~~

4 49

~~video for use not later than January 1, 1997.~~

~~-~~

4 50

~~9.~~

- 8. The advisory committee shall submit a report  
5 1 to the general assembly on or before January 8, 1997,  
5 2 regarding the progress of the committee in completing  
5 3 the committee's duties

~~regarding the development and~~

~~-~~

5 4

~~distribution of the video~~

~~-~~

5 5

~~10.~~

- 9. The Iowa department of public health shall  
5 6 provide administrative support to the advisory  
5 7 committee."  
5 8 #6. Page 1, by striking lines 43 and 44 and  
5 9 inserting the following: "inapplicability of section  
5 10

~~135L.2 with regard to the required offering of the~~

~~-~~

5 11

~~viewing of the video of~~

~~-~~

5 12 #7. Page 1, line 48, by striking the words "or of  
5 13 section" and inserting the following: "

~~or of~~

~~-~~

5 14

~~section~~

-"

5 15 #8. Page 3, by inserting after line 26 the  
5 16 following:  
5 17 "Sec. \_\_\_\_ 1996 Iowa Acts, [Senate File 13](#), section  
5 18 14, is amended to read as follows:  
5 19 SEC. 14. EFFECTIVE DATE. The section of this Act  
5 20 which creates section 135L.5 relating to the  
5 21 establishment of the advisory committee, being deemed  
5 22 of immediate importance, takes effect upon enactment.  
5 23 The advisory committee shall be appointed within sixty  
5 24 days of the enactment of this Act and may begin  
5 25 performing committee duties prior to the beginning of  
5 26 the official commencement of the terms of the  
5 27 committee members as provided in section 135L.5 as  
5 28 created in this Act.  
5 29 If the advisory committee created pursuant to  
5 30 section 135L.5 has completed its duties

~~regarding the~~

-

5 31

~~development and distribution of the video~~

- pursuant to

5 32 section 135L.2 prior to January 1, 1997, the remainder  
5 33 of this Act takes effect January 1, 1997. However,  
5 34 even if the advisory committee has not completed its  
5 35 duties prior to January 1, 1997,

~~and the video is not~~

-

5 36

~~developed and distributed prior to January 1, 1997,~~

-

5 37 the remaining sections of this Act, exclusive of the  
5 38 section which creates section 135L.5, and exclusive of  
5 39 the section and provisions which relate to  
5 40 development, distribution, and offering of

~~the video~~

-

5 41

~~and~~

- the written decision-making materials, take effect

5 42 January 1, 1997.  
5 43 Sec. \_\_\_\_ 1996 Iowa Acts, [Senate File 13](#), section  
5 44 15, is amended to read as follows:  
5 45 SEC. 15. REPEAL - ADVISORY COMMITTEE. Section  
5 46 135L.5 is repealed effective January 1, 1999

~~, or two~~

-

5 47

~~years following the distribution date of the video as~~

-

5 48

~~determined by the advisory committee, whichever is~~

-

5 49

~~later~~

-. "  
5 50 #9. By renumbering as necessary.  
6 1  
6 2  
6 3 \_\_\_\_\_  
6 4 [DODERER](#) of Johnson  
6 5  
6 6  
6 7 \_\_\_\_\_  
6 8 [GRUNDBERG](#) of Polk  
6 9  
6 10  
6 11 \_\_\_\_\_  
6 12 [DINKLA](#) of Guthrie  
6 13  
6 14  
6 15 \_\_\_\_\_  
6 16 [METCALE](#) of Polk  
6 17  
6 18  
6 19 \_\_\_\_\_  
6 20 [MARTIN](#) of Scott  
6 21  
6 22  
6 23 \_\_\_\_\_  
6 24 [HARPER](#) of Black Hawk  
6 25 [HF 2050.501](#) 76  
6 26 pf/jw