

CHAPTER 1127

ABORTION — DEFINITIONS, INFORMED CONSENT, REPORTING, AND ABORTION-INDUCING DRUGS

H.F. 2788

AN ACT relating to abortions including definitions, informed consent, dispensing of abortion-inducing drugs, and other abortion-related provisions.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I ABORTION — DEFINED

Section 1. Section 146B.1, subsection 1, Code 2026, is amended to read as follows:

1. “*Abortion*” means the termination of a human pregnancy with the intent other than to produce a live birth or to remove a dead fetus. “*Abortion*” does not include any of the following:

- a. Treatment of a spontaneous termination of pregnancy, commonly known as a miscarriage.
- b. Removal of the products of conception after an incomplete or inevitable loss of a pregnancy.
- c. Treatment of an ectopic pregnancy.

Sec. 2. Section 146E.1, subsection 1, Code 2026, is amended to read as follows:

1. “*Abortion*” means the ~~termination of a human pregnancy with the intent other than to produce a live birth or to remove a dead fetus~~ same as defined in section 146B.1.

DIVISION II INFORMED CONSENT

Sec. 3. Section 146A.1, Code 2026, is amended by adding the following new subsection:
NEW SUBSECTION. 1A. Prior to performing an abortion, a physician shall perform an in-person examination of the pregnant woman including screening for indicia of coercion or abuse. A physician shall, if necessary, refer the woman to an appropriate health care provider for treatment consistent with the examination results.

Sec. 4. Section 146A.1, subsection 6, Code 2026, is amended by adding the following new paragraphs:

NEW PARAGRAPH. 0a. “*Abortion*” means the same as defined in section 146B.1.

NEW PARAGRAPH. 00a. “*Health care provider*” means a person who is licensed, certified, or otherwise authorized or permitted by the laws of this state to administer health care in the ordinary course of business or in the practice of a profession.

NEW PARAGRAPH. 0b. “*Physician*” means the same as defined in section 146B.1.

Sec. 5. **NEW SECTION.** 146A.2 **Prerequisites for dispensing abortion-inducing drugs — licensee discipline.**

1. As used in this section, unless the context otherwise requires:

- a. “*Abortion-inducing drug*” means the same as defined in section 146F.1.
- b. “*Chemical abortion*” means the same as defined in section 146F.1.
- c. “*Dispense*” means the same as defined in section 146F.1.
- d. “*Medical emergency*” means the same as defined in section 146A.1.
- e. “*Pregnant*” or “*pregnancy*” means the human female reproductive condition of having a living unborn child within the pregnant woman’s body throughout every stage of the unborn child’s life and development, from fertilization to full gestation and childbirth.

2. A physician who is performing or attempting to perform a chemical abortion shall do all of the following prior to prescribing or dispensing an abortion-inducing drug to a pregnant woman:

- a. Obtain the signature of the woman on the United States food and drug administration

patient agreement form required for each abortion-inducing drug authorized to be manufactured or sold in the United States.

b. Obtain written confirmation from the woman that the woman has been informed of all of the following information:

- (1) The gestational age-specific risks of abortion-inducing drugs.
- (2) The risks related to the specific abortion-inducing drug or drugs to be used, including hemorrhage, failure to remove all tissue of the unborn child, sepsis, sterility, and possible continuation of the pregnancy.
- (3) That the United States federal food and drug administration recommends that the pregnant woman follow up with the woman's health care provider approximately seven to fourteen calendar days after the administration of an abortion-inducing drug to confirm complete termination of pregnancy has occurred and to evaluate the degree of bleeding.
- (4) That women using abortion-inducing drugs have suffered trauma from seeing the remains of the unborn child in the process of a chemical abortion.
- c. Advise the pregnant woman how to access emergency surgical intervention in case of an incomplete abortion, severe bleeding, or other medical complications.
3. Subsection 2 shall not apply to a chemical abortion performed in response to a medical emergency.
4. This section shall not be construed to impose civil or criminal liability on a woman upon whom a chemical abortion has been performed.
5. A physician who fails to comply with this section is subject to licensee discipline under chapter 148.
6. The board of medicine shall adopt rules pursuant to chapter 17A to administer this section.

DIVISION III DISPENSING ABORTION-INDUCING DRUGS

Sec. 6. NEW SECTION. 146F.1 **Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "*Abortion-inducing drug*" means any drug, chemical, or other substance that is prescribed or administered with the intent of performing an abortion. "*Abortion-inducing drug*" does not include a drug, chemical, or other substance that is prescribed or administered for a purpose other than to perform an abortion, even if the drug may be known to cause an abortion.
2. "*Chemical abortion*" means an abortion performed by the administration or use of an abortion-inducing drug.
3. "*Dispense*" means to distribute, administer, or send an abortion-inducing drug to the ultimate user.
4. "*Health care setting*" means a pharmacy, clinic, medical office, or hospital.
5. "*Hospital*" means the same as defined in section 135B.1.
6. "*Interested party*" means any of the following persons:
 - a. A woman upon whom a chemical abortion was performed or attempted.
 - b. The personal representative of a woman upon whom a chemical abortion was performed or attempted.
7. "*Medical emergency*" means the same as defined in section 146A.1.
8. "*Personal representative*" means an administrator or an executor, or if there is no such personal representative appointed, then a person legally authorized to perform substantially the same functions.

Sec. 7. NEW SECTION. 146F.2 **Dispensing of abortion-inducing drugs — restrictions.**

1. A person shall not dispense an abortion-inducing drug in this state unless all of the following criteria are met:
 - a. The drug is dispensed in a health care setting directly to the woman prescribed the drug.
 - b. The person dispensing the drug is authorized to do so pursuant to section 147.107.

2. Subsection 1 does not apply to the dispensing of an abortion-inducing drug in response to a medical emergency.

Sec. 8. NEW SECTION. 146F.4 Private cause of action — civil liability.

1. A person who dispenses an abortion-inducing drug in violation of section 146F.2 shall be civilly liable to any interested party for all damages caused by the abortion-inducing drug. A person who is subject to licensee discipline under chapter 148 or 155A shall be immune from civil liability under this section.

2. In addition to compensatory or punitive damages, a prevailing plaintiff who brings an action under this section is entitled to court costs and reasonable attorney fees.

3. In an action brought under this section, the name and other identifying characteristics of a woman who sought or obtained an abortion-inducing drug shall be redacted without a court order from all pleadings and documents filed in the action. The court may make further orders as necessary to protect the identity and privacy of the woman who sought or obtained an abortion-inducing drug.

4. This section shall not be construed to impose civil or criminal liability on a woman upon whom a chemical abortion is performed.

Sec. 9. NEW SECTION. 146F.5 Licensee discipline.

A licensee who fails to comply with this chapter is subject to licensee discipline under chapter 148 or 155A.

DIVISION IV
ABORTION-RELATED PROVISIONS

Sec. 10. Section 144.29A, subsection 1, paragraph k, Code 2026, is amended to read as follows:

k. The method used for an induced termination, including whether mifepristone or misoprostol was used.

Sec. 11. Section 144.29A, subsection 1, Code 2026, is amended by adding the following new paragraph:

NEW PARAGRAPH. *l.* If a spontaneous termination of pregnancy, whether the patient ingested mifepristone or misoprostol within fourteen calendar days prior to the date of the spontaneous termination of pregnancy.

Sec. 12. Section 144.29A, subsection 7, paragraph c, Code 2026, is amended to read as follows:

c. “*Spontaneous termination of pregnancy*”, commonly known as a miscarriage, means the occurrence of an unintended termination of pregnancy at any time during the period from conception to twenty weeks gestation and which is not a spontaneous termination of pregnancy at any time during the period from twenty weeks or greater which is reported to the department as a fetal death under this chapter.

Sec. 13. REPEAL. Chapter 146C, Code 2026, is repealed.

Approved May 19, 2026