

146B.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

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.

2. “*Attempt to perform an abortion*” means an act, or an omission of a statutorily required act, that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in the performing of an abortion.

3. “*Department*” means the department of public health.

4. “*Fertilization*” means the fusion of a human spermatozoon with a human ovum.

5. “*Major bodily function*” includes but is not limited to functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

6. “*Medical emergency*” means a situation in which an abortion is performed to preserve the life of the pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy, or when continuation of the pregnancy will create a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman.

7. “*Medical facility*” means any public or private hospital, clinic, center, medical school, medical training institution, health care facility, physician’s office, infirmary, dispensary, ambulatory surgical center, or other institution or location where medical care is provided to any person.

8. “*Perform*”, “*performed*”, or “*performing*”, relative to an abortion, means the use of any means, including medical or surgical, to terminate the pregnancy of a woman known to be pregnant with the intent other than to produce a live birth or to remove a dead fetus.

9. “*Physician*” means a person licensed under [chapter 148](#).

10. “*Postfertilization age*” means the age of the unborn child as calculated from fertilization.

11. “*Probable postfertilization age*” means what, in reasonable medical judgment, will with reasonable probability be the postfertilization age of the unborn child at the time the abortion is to be performed.

12. “*Reasonable medical judgment*” means a medical judgment made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

13. “*Unborn child*” means an individual organism of the species homo sapiens from fertilization until live birth.

[2017 Acts, ch 108, §2, 7](#)

Referred to in [§146C.2](#)