

902 KAR 4:110. Abortion information.

RELATES TO: KRS 194A.030, 211.090, 211.180, 311.720

STATUTORY AUTHORITY: KRS 194A.050, 311.725

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050 requires the cabinet to adopt such administrative regulations necessary to protect and maintain the health, welfare and personal dignity, of the citizens of the Commonwealth. KRS 311.725 requires the secretary of the cabinet to publish printed materials to inform the pregnant woman who is seeking an abortion concerning the probable anatomical and physiological characteristics of the embryo or fetus at appropriate gestational increments. Materials to inform the pregnant woman concerning public and private agencies and services to assist her through pregnancy, childbirth and while the child is a dependent and the support obligations of the father of the child who is born alive will be published.

Section 1. Definitions. (1) "Cabinet" means Cabinet for Health Services.

(2) "Department" means Department for Public Health.

Section 2. Informational Materials. (1) The cabinet shall develop and publish materials to be offered to pregnant women seeking an abortion at least twenty-four (24) hours in advance of the abortion. The materials are:

(a) The "Information About Fetal Development" pamphlet shall provide the following information:

1. Probable anatomical and physiological characteristics of the embryo or fetus;
2. Photographs depicting the embryo or fetus; and
3. A scale or explanation to aid in determining the actual size of the fetus.

(b) The "Available Resources for Pregnant Women" provides the following information:

1. A list of available public and private agencies with toll free numbers to assist women both during and after pregnancy;
2. A description of the services offered by the agencies; and
3. A description and toll free number of the Division of Child Support which shall provide information on the support obligations of a father of a child who is born alive.

(2) The cabinet shall make available the requested number of materials.

(3) The hospital, physician, medical facility, or entity requesting the materials shall be charged a fee of:

(a) One (1) dollar for a copy of "Available Resources for Pregnant Women"; or

(b) Three (3) dollars for a copy of "Information About Development".

(4) The fee shall be paid by check made payable to the Kentucky State Treasurer.

Section 3. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Information About Development" dated January 1999; and

(b) "Available Resources for Pregnant Women" dated January 1999.

(2) This material may be inspected, copied or obtained at the Department for Public Health, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m. (25 Ky.R. 1291; Am. 1930; 2380; eff. 3-17-99.)