

902 KAR 4:110. Abortion information.

RELATES TO: KRS 194A.030, 211.090, 211.180, 311.720, 311.725

STATUTORY AUTHORITY: KRS 194A.050, 311.725

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050 requires the cabinet to adopt 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 the probable anatomical and physiological characteristics of the embryo or fetus at appropriate gestational increments, the public and private agencies and services to assist her through pregnancy, childbirth, and while the child is a dependent, the support obligations of the father of the child who is born alive, and the potential ability to reverse the effects of prescription drugs intended to induce abortion. This administrative regulation establishes the requirements for obtaining that information and incorporates by reference the publications required by KRS 311.725(2).

Section 1. Definitions.

- (1) "Cabinet" is defined by KAR 311.720(3).
- (2) "Department" means Department for Public Health.

Section 2. Informational Materials.

- (1) The cabinet shall develop and publish the materials identified in this subsection, which shall be offered to pregnant women seeking an abortion at least twenty-four (24) hours in advance of the abortion.
 - (a) The "Information About Fetal Development" shall provide the information required by KRS 311.725(2)(b).
 - (b) The "Available Resources for Pregnant Women" shall provide the information required by KRS 311.725(2)(a).
 - (c) The "Abortion Pill Reversal" shall provide the information required by KRS 311.725(2)(c).
- (2) The cabinet shall make available the requested number of materials.
- (3) For a paper copy of a publication, the department shall charge the hospital, physician, medical facility, or entity requesting the materials a fee of:
 - (a) One (1) dollar for a copy of "Available Resources for Pregnant Women";
 - (b) Three (3) dollars for a copy of "Information About Fetal Development"; and
 - (c) One (1) dollar for a copy of "Abortion Pill Reversal".
- (4) The fee shall be paid by check made payable to the Kentucky State Treasurer.
- (5) A free electronic copy of each publication shall be available from the department's Web site.

Section 3. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Abortion Pill Reversal", October 2019;
 - (b) "Available Resources for Pregnant Women", 2/2020; and
 - (c) "Information About Fetal Development", 2/8/2020.
 - (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, 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; 1930; 2380; eff. 3-17-1999; 47 Ky.R. 420; eff. 11-19-2020.)