



2018 New York State YMCA
Youth And Government

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FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Liberty 3

Bill #: AL-21

1 **Sponsors:** Rachael Bessette, Gabrielle Delorm-Varsi, Matthew Noel, Joseph Marang

2
3 **An Act To:** Amend New York Administrative Code section 17-405 to create a
4 definitive age of consent for abortions and parental rights for minors receiving
5 abortions.

6 *The People of the State of New York, represented in the*
7 *Senate and Assembly, do enact as follows:*

8
9 **PURPOSE:** Create parental awareness over minors abortions.

10
11 **SUMMARY OF PROVISIONS:**

12 **Section 1: Definitions**

13 **Abortion:** the deliberate termination of a human pregnancy, most often performed
14 during the first 28 weeks of pregnancy.

15 **Consent:** permission for something to happen or agreement to do something

16 **Written consent:** an official binding agreement signed either on paper or digitally
17 by parties involved, which is recognized legally

18 **Section 2: Provisions**

19 § 17-405 Requirements for informed consent. No sterilization shall be
20 performed which does not meet the following conditions:

21 1. Initial consent may not be elicited from a female patient during
22 admission or hospitalization for childbirth or abortion.

23 2. Consent may not be taken from females under the age of 17 a parent
24 must be present at time of abortion and give written consent.

25 3. An informational session conducted by a counselor, who is not the
26 operating physician, must precede the patient's consent. During the
27 session, information about the irreversibility of sterilization,
28 alternative methods of contraception, and the corresponding risks must
29 be discussed in the preferred language of the patient.

30 4 Written informed consent for sterilization must be obtained from
31 each patient. A standardized consent form must be used to satisfy this
32 requirement. The form, supplied by the department must be explained
33 orally by the counselor in the presence of a witness. A copy of the
34 signed consent form shall be provided the patient.

35 5. On admission to the facility where the sterilization will be
36 performed each patient must give written affirmation of his or her
37 informed consent to the sterilization.

38 6. The patient must be given oral and written assurance that medical



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39 services or benefits will not be lost as a result of refusing
40 sterilization.

41 7. Contraceptive devices will be prescribed for the patient's use
42 during the thirty-day waiting period.

43 8. Consent for the sterilization may be revoked any time prior to the
44 operation.

45 **JUSTIFICATION:**

46 Children under the age of 17 are still minors. They need parents to sign if they have
47 major surgeries, or to be prescribe medication. Why is it that in the state of New
48 York that it allowed for minors to receive an about

49 **FISCAL IMPLICATIONS:**

50 This bill will have no fiscal implications to the state or to the individual.

51 **EFFECTIVE DATE:**

52 This bill will go into effect two years after passage.

53