

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 711
HOUSE BILL 615

AN ACT TO MAKE CHANGES IN THE ABORTION LAW IN ORDER TO COMPLY
WITH RECENT UNITED STATES SUPREME COURT DECISIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-45.1 is rewritten to read as follows:

"§ 14-45.1. **When abortion not unlawful.** — (a) Notwithstanding any of the provisions of G.S. 14-44 and G.S. 14-45, it shall not be unlawful, during the first 20 weeks of a woman's pregnancy, to advise, procure, or cause a miscarriage or abortion when the procedure is performed by a physician licensed to practice medicine in North Carolina in a hospital or clinic certified by the North Carolina Medical Care Commission to be a suitable facility for the performance of abortions.

(b) Notwithstanding any of the provisions of G.S. 14-44 and G.S. 14-45, it shall not be unlawful, after the twentieth week of a woman's pregnancy, to advise, procure or cause a miscarriage or abortion when the procedure is performed by a physician licensed to practice medicine in North Carolina in a hospital licensed by the North Carolina Medical Care Commission, if there is substantial risk that continuance of the pregnancy would threaten the life or gravely impair the health of the woman.

(c) The State Board of Health shall prescribe and collect on an annual basis, from hospitals or clinics where abortions are performed, such representative samplings of statistical summary reports concerning the medical and demographic characteristics of the abortions provided for in this section as it shall deem to be in the public interest. Hospitals or clinics where abortions are performed shall be responsible for providing these statistical summary reports to the State Board of Health. The reports shall be for statistical purposes only and the confidentiality of the patient relationship shall be protected.

(d) The requirements of G.S. 130-43 are not applicable to abortions performed pursuant to this section.

(e) Nothing in this section shall require a physician licensed to practice medicine in North Carolina or any nurse who shall state an objection to abortion on moral, ethical, or religious grounds, to perform or participate in medical procedures which result in an abortion. The refusal of such physician to perform or participate in these medical procedures shall not be a basis for damages for such refusal, or for any disciplinary or any other recriminatory action against such physician.

(f) Nothing in this section shall require a hospital or other health care institution to perform an abortion or to provide abortion services."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 23rd day of May, 1973.