

§ 90-21.81. Definitions.

The following definitions apply in this Article:

- (1) **Abortion.** – The use or prescription of any instrument, medicine, drug, or other substance or device intentionally to terminate the pregnancy of a woman known to be pregnant with an intention other than to do any of the following:
 - a. Increase the probability of a live birth.
 - b. Preserve the life or health of the child.
 - c. Remove a dead, unborn child who died as the result of (i) natural causes in utero, (ii) accidental trauma, or (iii) a criminal assault on the pregnant woman or her unborn child which causes the premature termination of the pregnancy.
- (2) **Attempt to perform an abortion.** – 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 performance of an abortion in violation of this Article or Article 1K of this Chapter.
- (3) **Department.** – The Department of Health and Human Services.
- (4) **Display a real-time view of the unborn child.** – An ultrasound or any more scientifically advanced means of viewing the unborn child in real time.
- (5) **Medical emergency.** – A condition which, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including any psychological or emotional conditions. For purposes of this definition, no condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function.
- (6) **Physician.** – An individual licensed to practice medicine in accordance with this Chapter.
- (7) **Probable gestational age.** – What, in the judgment of the physician, will, with reasonable probability, be the gestational age of the unborn child at the time the abortion is planned to be performed.
- (8) **Qualified professional.** – An individual who is a registered nurse, nurse practitioner, or physician assistant licensed in accordance with Article 1 of this Chapter, or a qualified technician acting within the scope of the qualified technician's authority as provided by North Carolina law and under the supervision of a physician.
- (9) **Qualified technician.** – A registered diagnostic medical sonographer who is certified in obstetrics and gynecology by the American Registry for Diagnostic Medical Sonography (ARDMS) or a nurse midwife or advanced practice nurse practitioner in obstetrics with certification in obstetrical ultrasonography.
- (10) **Stable Internet Web site.** – A Web site that, to the extent reasonably practicable, is safeguarded from having its content altered other than by the Department.
- (11) **Woman.** – A female human, whether or not she is an adult. (2011-405, s. 1; 2013-366, s. 3(b).)