

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 59

Introduced by Kintner, 2; Brasch, 16; Brewer, 43; Erdman, 47.

Read first time January 05, 2017

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to health care facilities; to amend section
- 2 71-401, Revised Statutes Cumulative Supplement, 2016; to require the
- 3 Department of Health and Human Services and health care facilities
- 4 to provide information regarding abortion; to harmonize provisions;
- 5 to provide severability; and to repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-401, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 71-401 Sections 71-401 to 71-474 and sections 2 and 3 of this act
4 shall be known and may be cited as the Health Care Facility Licensure
5 Act.

6 Sec. 2. (1) The Department of Health and Human Services shall
7 develop and maintain a dedicated Internet web page on the web site of the
8 Department of Health and Human Services to provide the information
9 described in this section and section 28-327.01. No information regarding
10 who uses the web page shall be collected or maintained. The department
11 shall monitor the web page on a regular basis and shall immediately
12 notify health care facilities which provide abortions as defined in
13 section 28-326 of any change in the location of the material on the web
14 page.

15 (2) The department shall ensure that the web page:

16 (a) Uses user-friendly search capabilities to ensure that the
17 information described in this section and section 28-327.01 is easily
18 accessible and is searchable by keywords and phrases, specifically to
19 ensure that entering the terms "abortion" and "abortion information"
20 yields the information described in this section and section 28-327.01,
21 regardless of how such information is labeled;

22 (b) Allows for the printing of such information other than videos;

23 (c) Gives clear, prominent instructions on how to obtain the
24 information in printed form; and

25 (d) Is accessible to the public without requiring registration or
26 use of a user name, a password, or another user identification.

27 (3) The department shall include on the web page developed under
28 subsection (1) of this section video of ultrasound images, using the best
29 available ultrasound technology, of an unborn child as defined in section
30 28-396 at two-week gestational increments.

31 Sec. 3. If a health care facility which provides abortions as

1 defined in section 28-326 has a web site, the health care facility shall
2 place on the home page of the web site a direct link to the web page
3 developed pursuant to section 2 of this act containing the information
4 described in such section. The language of the link shall be maintained
5 at a minimum resolution of seventy dots per inch. All letters on the link
6 shall be a minimum of fourteen-point font. The link shall read as
7 follows: "The Nebraska Department of Health and Human Services maintains
8 a web page containing information about the development of the unborn
9 child and videos of ultrasound images of the unborn child at various
10 stages of development. The web page also has information on alternatives
11 to abortion and a comprehensive list on where to obtain an ultrasound
12 free of charge. The web page can be reached by clicking here."

13 Sec. 4. If any section in this act or any part of any section is
14 declared invalid or unconstitutional, the declaration shall not affect
15 the validity or constitutionality of the remaining portions.

16 Sec. 5. Original section 71-401, Revised Statutes Cumulative
17 Supplement, 2016, is repealed.