AMENDMENT TO H.R. 3755
OFFERED BY MR. GOOD OF VIRGINIA

Page 23, after line 6, insert the following:

SEC. 4A. CHEMICAL ABORTIONS PROHIBITED WITHOUT A HEALTHCARE PROVIDER PRESENT.

(a) CHEMICAL ABORTIONS PROHIBITED WITHOUT A PHYSICIAN PRESENT.—Chapter 74 of title 18, United States Code, is amended—
(1) in the chapter heading by striking “PARTIAL-BIRTH”; and
(2) by inserting after section 1531 the following:

“§ 1532. Chemical abortions prohibited without a healthcare provider physically present

“(a) OFFENSE.—Notwithstanding any provision of the Women’s Health Protection Act of 2021, any healthcare provider who, in or affecting interstate or foreign commerce, knowingly provides or attempts to provide a chemical abortion—

“(1) without physically examining the patient;
“(2) without being physically present at the location of the chemical abortion; and
“(3) without scheduling a follow-up visit for the
patient to occur not more than 14 days after the ad-
ministration or use of the drug to assess the pa-
tient’s physical condition,
shall be fined not more than $1,000 or imprisoned not
more than 2 years, or both. This subsection does not apply
to a chemical abortion that is necessary to save the life
of a mother whose life is endangered by a physical dis-
order, physical illness, or physical injury, including a life-
endangering physical condition caused by or arising from
the pregnancy itself.

“(b) NO LIABILITY OF THE PATIENT.—A patient
upon whom an abortion is performed may not be pros-
ecuted under this section or for a conspiracy to violate
this section.

“(c) DEFINITIONS.—In this section:

“(1) ABORTION DRUG.—The term ‘abortion
drug’ means any medicine, drug or any other sub-
stance, or any combination of drugs, medicines or
substances, when it is used—

“(A) to intentionally kill the unborn child
of a woman known to be pregnant; or

“(B) to intentionally terminate the preg-
nancy of a woman known to be pregnant, with
an intention other than—
“(i) to produce a live birth; or
“(ii) to remove a dead unborn child.

“(2) ATTEMPTS TO PROVIDE.—In this section, the term ‘attempts to provide’, means conduct that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in a chemical abortion.

“(3) HEALTHCARE PROVIDER.—The term ‘healthcare provider’ means any person licensed to prescribe prescription drugs under applicable Federal and State laws.

“(4) PROVIDE.—In this section, the term ‘provide’, means to dispense or prescribe an abortion drug, or to otherwise make an abortion drug available to a patient.

“(5) CHEMICAL ABORTION.—The term ‘chemical abortion’ refers to the use of an abortion drug to—

“(A) intentionally kill the unborn child of a woman known to be pregnant; or
“(B) intentionally terminate the pregnancy of a woman known to be pregnant, with an intention other than—

“(i) to produce a live birth; or
“(ii) to remove a dead unborn child.
“(6) UNBORN CHILD.—The term ‘unborn child’ means an individual organism of the species homo sapiens, beginning at fertilization, until the point of being born alive as defined in section 8(b).

“(d) RULE OF CONSTRUCTION REGARDING ECTOPIC PREGNANCY.—Nothing in this section shall be construed to have any impact on the treatment of a verified ectopic pregnancy.

“(e) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is held to be invalid, the remainder of this section and the application of the provisions of the remainder to any person or circumstance shall not be affected thereby.”.

(b) CLERICAL AMENDMENTS.—

(1) CHAPTER 74.—The table of sections for such chapter is amended by inserting after the item relating to section 1531 the following:

“1532. Chemical abortions prohibited without a healthcare provider physically present.”.

(2) PART I.—The table of chapters for part I of title 18, United States Code, is amended by striking the item relating to chapter 74, and inserting the following:

“74. Abortions ........................................................................................................... 1531”.