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**WOMAN'S RIGHT TO KNOW:  
STATES THAT OFFER ULTRASOUND OPTION**

**February 18, 2009**

<b>STATE</b>	<b>YEAR ENACTED</b>	<b>DESCRIPTION</b>
ALABAMA <sup>1</sup> Ala. Code § 26-23A-4 (4);(5)	2002	Pregnant mother has right to view ultrasound, the law also requires abortion clinics and clinics that refer for abortions to have ultrasound equipment.
ARIZONA* A.R.S. § 36-449.03 (D)(4)	1999	An ultrasound must be used for all patients who elect to have an abortion after 12 weeks gestation. The mother must request to view the ultrasound if it is to be shown to her. Then the physician or technician shall review it with her.
ARKANSAS Ark. Stat. Ann § 20-16-602	2003	Abortion clinics who use ultrasound equipment shall inform the pregnant woman she has the option of viewing the ultrasound.
FLORIDA* Fla. Stat. Ann. §390.012 (4)	2005	An ultrasound must be used for all patients who elect to have an abortion after 1 <sup>st</sup> trimester. The mother must request to view the ultrasound if it is to be shown to her. Then the physician or technician shall review it with her.
GEORGIA Ga. Code Ann. § 31-9A-3(4)  Ga. Code Ann. §31-9A-3(2)(C)	2007	In all cases where ultrasounds are performed before an abortion the pregnant mother shall be offered a chance to view the ultrasound and hear the heartbeat. Pregnant mother is told before an abortion of ultrasound services and how to obtain them at no cost.
IDAHO Idaho Code § 18-609 (3)	2007	Abortion clinics who use ultrasound equipment shall inform the pregnant woman she has the option of viewing the ultrasound and obtaining a picture of her unborn baby.
INDIANA** Ind. Code Ann. § 16-34-2-1.1 (F)	2005	Pregnant mother is told 18 hours before an abortion of ultrasound and fetal heart tone services and how to obtain them,

<sup>1</sup> Attorney General has entered a consent agreement declaring Ala. Code § 26-23A-4 (LexisNexis 2007) is subject to medical emergency exception which includes psychological harm. *Summit Med. Ctr. of Ala., Inc. v. Riley*, No. 02-A-1064-N (M.D. Ala. June 25, 2004) (order granting permanent injunction).

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		upon her request she can view the ultrasound.
LOUISIANA La. Rev. Stat. §40:1299.35.6 (B)(1)(h) La. Rev. Stat. §40:1299.35.2 (C)	2007  1999	Abortionist shall inform the pregnant mother of her option to review and receive an explanation of an obstetric ultrasound image of the unborn child. The abortion doctor shall inform the pregnant mother that she has the option of viewing an ultrasound of her unborn child of twenty weeks gestation or more.
MICHIGAN M.C.L.A. §333.17015 (8)	2006	If an ultrasound is performed on the pregnant mother the abortion clinic shall inform her of the option of viewing the ultrasound and obtaining a picture of her unborn baby. She is told before an abortion of clinics that offer free ultrasounds.
MISSISSIPPI Miss. Code § 41-41-34	2007	Before an abortion is performed, an ultrasound shall be performed on the pregnant woman and the abortion clinic shall inform her of the option to view the ultrasound, and hear the heart tone and obtain a picture of her unborn child.
OHIO Ohio Rev. Code Ann. §2317.561	2008	If an ultrasound is used prior to the performance of an abortion the abortionist shall provide the mother the opportunity to view the active ultrasound and offer to provide her with a physical picture and shall not require any additional charges.
OKLAHOMA §63-1-738.2 (B)(1)(a)(5)  Enacted in 2008 §63-1-738.3b	2006  2008	Pregnant mother is told before an abortion of ultrasound and fetal heart tone services and how to obtain them at no cost. At least 1 hour prior to performing an abortion the abortionist must display the ultrasound image.
SOUTH CAROLINA S.C. Code Regs. 61-12 § 301 (C)(2)  Enacted in 2008 S.C. Code Ann. §41-41-340(A)(1)(a),(b)	1996  2008	Abortion Clinic Regulations require the abortionist to perform an ultrasound when gestational age is unknown or is estimated to be 14 weeks or older. If an ultrasound is performed the abortionist must inform the pregnant mother of her right to view an ultrasound during or after the ultrasound is performed. No abortion may be performed sooner than 60 minutes after an ultrasound. The woman must certify in writing that she has been informed of her right to view the ultrasound.

STATE	YEAR ENACTED	DESCRIPTION
SOUTH DAKOTA S.D. Codified Laws § 34-23A-52	2008	Pregnant mother is offered chance to view sonogram of her unborn child before an abortion is performed, also reports the number of women who viewed sonogram.
UTAH <sup>2**</sup> Utah Code Ann. § 76-7-305.5(5)  Utah Code Ann. § 76-7-305 (v)	1996	The department of Health shall provide ultrasounds at no expense to the pregnant mother. The pregnant mother has the right to view an ultrasound at no expense to her upon her request.
WISCONSIN <sup>3</sup> Wis. Stat. Ann. §253.10(3)(c)1(g)	1998	Pregnant mother is told before an abortion of ultrasound and fetal heart tone services and how to obtain them.

- \* **Arizona & Florida have laws that require an ultrasound to be used for abortions after the 1<sup>st</sup> trimester of pregnancy but the burden is on the mother to make the request to view it.**
- \*\* **Indiana & Utah have laws that place the burden on the pregnant mother to request to view the ultrasound throughout pregnancy.**

<sup>2</sup> Upheld in *Utah Women's Clinic, Inc v. Leavitt*, 844 F. Supp 1482 (D. Utah 1994)

<sup>3</sup> Upheld *Karlin v. Foust*, 188 F.3d 446; 1999 U.S. App. LEXIS 18409, on August 9, 1999.