

# Minnesota State Legislature

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## HEARTBEAT PROTECTION AND MATERNAL SUPPORT ACT

### Section 1. SHORT TITLE.

This act may be cited as the 'Heartbeat Protection and Maternal Support Act.'

### Section 2. LEGISLATIVE INTENT.

The purpose of this act is to protect unborn life once fetal cardiac activity has been detected while ensuring that pregnant individuals receive meaningful support through counseling, healthcare access, and financial assistance when necessary.

### Section 3. DEFINITIONS.

(a) 'Fetal Heartbeat' means cardiac activity or the steady and repetitive rhythmic contraction of the fetal heart detected by ultrasound or other medically accepted technology.

(b) 'Medical Emergency' means a condition in which a physician determines that the pregnancy poses a serious risk to the life of the pregnant individual or major bodily function.

(c) 'Medical Provider' means a licensed physician, healthcare professional, or medical facility authorized under state law to provide reproductive health services.

### Section 4. PROHIBITION AFTER DETECTION OF FETAL HEARTBEAT.

(a) A medical provider must not knowingly perform or induce an abortion once a fetal heartbeat has been detected.

(b) Prior to performing an abortion, a medical provider must use medically accepted technology, including ultrasound, to determine whether a fetal heartbeat is present. This determination must be performed within 12 hours prior to the procedure.

(c) If a fetal heartbeat is detected, the medical provider must provide the patient with information regarding counseling services, maternal support programs, healthcare assistance, housing resources, adoptions and other programs available to assist the patient during pregnancy.

### Section 5. EXCEPTIONS.

(a) The prohibition described in Section 4 does not apply in the case of a medical emergency.

(b) Exceptions may apply in cases involving rape or incest when legal documentation is provided in accordance with state law.

(c) Legal documentation may include a police report, active police case file, or other official record verifying the claim.

(d) The medical provider must take reasonable steps to verify the legitimacy of the documentation before proceeding.

(e) If an abortion occurs under an allowed exception after detection of fetal cardiac activity, the medical provider must document the reason and maintain the documentation in the patient record.

#### Section 6. RECORD KEEPING.

(a) Medical facilities must maintain records documenting compliance with this act.

(b) Records must follow all medical privacy and record retention laws.

(c) Records must be available for lawful regulatory review.

#### Section 7. ENFORCEMENT AND PENALTIES.

(a) A provider or facility that knowingly violates this act will be subject to civil liability and monetary penalties of not less than \$1,000,000.

(b) Penalties increase for repeated violations.

(c) Continued violations will result in suspension of professional licenses and closure of facilities in accordance with applicable law.

#### Section 8. MINORS.

In cases involving pregnant minors, existing state laws regarding parental consent, parental notification, or judicial bypass apply.

#### Section 9. MATERNAL SUPPORT PROGRAMS.

(a) The state shall provide counseling services, prenatal healthcare support, housing assistance, and financial assistance where necessary.

(b) Financial assistance shall be available to individuals experiencing financial hardship and must include reasonable qualification requirements.

(c) Eligibility standards should remain broad enough to ensure access while maintaining accountability.

(d) Assistance programs shall gradually taper as recipients achieve financial stability.

#### Section 10. REVIEW COMMISSION.

- (a) An independent commission shall periodically review the implementation of this act.
- (b) The commission will evaluate maternal health outcomes, access to support services, and overall program effectiveness.
- (c) Findings shall be reported to the legislature.

## One-Page Public Summary

### Purpose

This proposal protects unborn life once a fetal heartbeat is detected while ensuring pregnant individuals receive real support through healthcare, counseling, and financial assistance.

### Key Points

- Requires medical providers to check for fetal cardiac activity using ultrasound within 12 hours before an abortion procedure.
- Prohibits abortion once a fetal heartbeat is detected except in medical emergencies or documented cases of rape or incest.
- Requires documentation and verification when exceptions apply.
- Requires abortion providers to inform patients of available maternal support services when a heartbeat is detected.

### Maternal Support Programs

- Counseling and emotional support services
- Prenatal healthcare assistance
- Housing support when needed
- Financial assistance programs designed to help mothers become financially stable

### Accountability

- Medical facilities must maintain records showing compliance.
- Violations can result in civil liability and penalties starting at \$1,000,000.
- Repeat violations may lead to license suspension and closure of facilities.

### Review and Oversight

An independent review commission will evaluate maternal health outcomes and program effectiveness and report findings to the legislature.