

ARTICLE 44:67
ABORTION FACILITIES

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FACILITY AND RELATED CARE SERVICES

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Appendix A. Informed consent form.

44:67:04:13. Mifepristone and Misoprostol Administration for Medical Abortion.

(1) For the purpose of inducing a medical abortion, a pregnant woman may only take the medications Mifepristone or Misoprostol up to nine weeks after conception. Mifepristone and Misoprostol must be prescribed and dispensed by a licensed physician in a licensed abortion facility consistent with SDCL Chapter 34-23A and in compliance with the applicable requirements in SDCL Chapter 36-4. A pregnant woman may only take Mifepristone at an abortion facility and only after informed consent has been obtained pursuant to SDCL 34-23A-10.1 and consistent with SDCL 34-23A-56. The notice required by SDCL 34-23A-10.1(1)(h) and 34-23A-10.1(3), that the physician advise the pregnant woman that if she changes her mind about the abortion and decides to carry the baby to term, it is possible to reverse the effects of Mifepristone, shall be given. After an observation period in the abortion facility, the pregnant woman may return home. Between 24-72 hours after taking Mifepristone, if the pregnant woman decides to continue with the medical abortion, the pregnant woman shall return to the abortion facility to receive the proper amount of Misoprostol dispensed by a licensed physician in the same manner as Mifepristone. Neither medication may be dispensed in any manner contrary to this section. The abortion facility staff shall monitor the pregnant woman for complications for a medically necessary period following each administration of the abortion-inducing medications and report:

(A) any complication that requires medical follow-up, including an incomplete abortion,

(B) what medical follow-up was required resulting from any complication,

(C) what facility the medical follow-up was performed, and

- (D) whether the pregnant woman was sex trafficked.
- (2) The abortion facility staff shall schedule a follow up appointment with the pregnant woman to return to the abortion facility on the 14th day after taking the medication to confirm that the fetus, placenta, and membranes have been fully expelled.
- (3) A “medical abortion” means a procedure that used medication to end a pregnancy.

General Authority: SDCL 34-23A-51(7), (10), (11)

Law Implemented: SDCL 34-23A-10.1(3); 34-23A-19; 34-23A-56