

In subsection (c)(2) of this section, the former reference to a definition of alcoholism is deleted since, in the referenced section, only "chronic alcoholic" was defined. As to alcoholism provisions, see Title 8 of this article. Also, the former reference to the definition of "drug abuse" is deleted; see Title 9 of this article.

Subsection (e) of this section is revised to clarify that the former reference to a "spouse" means the "spouse of the parent", rather than the spouse of the minor.

Defined term: "Physician" § 1-101

20-103. ABORTION.

(A) NOTICE REQUIRED.

EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, A PHYSICIAN MAY NOT PERFORM AN ABORTION ON AN UNMARRIED MINOR UNLESS THE PHYSICIAN FIRST GIVES NOTICE TO A PARENT OR GUARDIAN OF THE MINOR.

(B) INCOMPLETE NOTICE.

THE PHYSICIAN MAY PERFORM THE ABORTION WITHOUT NOTICE TO A PARENT OR GUARDIAN IF:

(1) THE MINOR DOES NOT LIVE WITH A PARENT OR GUARDIAN; AND

(2) A REASONABLE EFFORT TO GIVE NOTICE TO A PARENT OR GUARDIAN IS UNSUCCESSFUL.

(C) WAIVER AUTHORIZED.

(1) THE PHYSICIAN MAY PERFORM THE ABORTION, WITHOUT NOTICE TO A PARENT OR GUARDIAN OF A MINOR IF, IN THE PROFESSIONAL JUDGMENT OF THE PHYSICIAN, NOTICE TO THE PARENT OR GUARDIAN MAY LEAD TO PHYSICAL OR EMOTIONAL ABUSE OF THE MINOR.

(2) THE PHYSICIAN IS NOT LIABLE FOR CIVIL DAMAGES OR SUBJECT TO A CRIMINAL PENALTY FOR A DECISION UNDER THIS SUBSECTION NOT TO GIVE NOTICE.

(D) EVIDENCE OF NOTICE.

THE POSTAL RECEIPT THAT SHOWS AN ARTICLE OF MAIL WAS SENT BY REGISTERED MAIL TO THE LAST KNOWN ADDRESS OF A PARENT OR GUARDIAN AND THAT IS ATTACHED TO A COPY OF THE NOTICE LETTER THAT WAS SENT IN THAT ARTICLE OF MAIL SHALL BE