

physician-patient privilege, may be made available to the public. Said reports shall not include the names of the patients aborted.]

Part II. Abortion [Restrictions] PROCEDURES

20-208.

AN ABORTION MUST BE PERFORMED BY A LICENSED PHYSICIAN.

20-209.

(A) IN THIS SECTION, "VIABLE" MEANS THAT STAGE WHEN, IN THE BEST MEDICAL JUDGMENT OF THE ATTENDING PHYSICIAN BASED ON THE PARTICULAR FACTS OF THE CASE BEFORE THE PHYSICIAN, THERE IS A REASONABLE LIKELIHOOD OF THE FETUS'S SUSTAINED SURVIVAL OUTSIDE THE WOMB.

(B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE STATE MAY NOT INTERFERE WITH THE DECISION OF A WOMAN TO TERMINATE A PREGNANCY:

(1) BEFORE THE FETUS IS VIABLE; OR

(2) AT ANY TIME DURING THE WOMAN'S PREGNANCY, IF:

(I) THE TERMINATION PROCEDURE IS NECESSARY TO PROTECT THE LIFE OR HEALTH OF THE WOMAN; OR

(II) THE FETUS IS AFFECTED BY GENETIC DEFECT OR SERIOUS DEFORMITY OR ABNORMALITY.

(C) THE DEPARTMENT MAY ADOPT REGULATIONS THAT:

(1) ARE BOTH NECESSARY AND THE LEAST INTRUSIVE METHOD TO PROTECT THE LIFE OR HEALTH OF THE WOMAN; AND

(2) ARE NOT INCONSISTENT WITH ESTABLISHED MEDICAL PRACTICE.

(D) THE PHYSICIAN IS NOT LIABLE FOR CIVIL DAMAGES OR SUBJECT TO A CRIMINAL PENALTY FOR A DECISION TO PERFORM AN ABORTION UNDER THIS SECTION MADE IN GOOD FAITH AND IN THE PHYSICIAN'S BEST MEDICAL JUDGMENT IN ACCORDANCE WITH ACCEPTED STANDARDS OF MEDICAL PRACTICE.

[20-210.

(a) A person is guilty of a misdemeanor if the person:

(1) Sells or gives, or causes to be sold or given, any drug, medicine, preparation, instrument, or device for the purpose of causing, inducing, or obtaining a termination of human pregnancy other than by a licensed physician in a hospital accredited by the Joint Commission for Accreditation of Hospitals and licensed by the State Board of Health and Mental Hygiene; or