

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0774.01 Shelby Ross x4510

HOUSE BILL 25-1252

HOUSE SPONSORSHIP

Bottoms,

SENATE SPONSORSHIP

(None),

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF MEDICAL FACILITIES THAT**
102 **PERFORM INDUCED ABORTIONS AFTER THE FIRST TRIMESTER OF**
103 **PREGNANCY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of public health and environment to annually license and to establish and enforce standards for the operation of medical facilities that perform medical or surgical induced abortions during the second or third trimester of pregnancy.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Second- and third-trimester abortion clinics are not currently
5 regulated by the Colorado department of public health and environment
6 (CDPHE);

7 (b) CDPHE is authorized to license, regulate, and inspect a wide
8 spectrum of health-care facilities to ensure public health and safety,
9 including freestanding emergency departments, critical access hospitals,
10 psychiatric hospitals, community clinics, rehabilitation hospitals,
11 convalescent centers, facilities for persons with intellectual and
12 developmental disabilities, nursing care facilities, hospice care, assisted
13 living residences, dialysis treatment clinics, ambulatory surgical centers,
14 birthing centers, and home care agencies;

15 (c) Gynecologic dilation and curettage (D&C) and second- and
16 third-trimester obstetric D&C, dilation and evacuation, dilation and
17 extraction, and inductions of labor are all normally performed in facilities
18 regulated by CDPHE. The exception to this protocol is when these same
19 procedures are used during an elective induced abortion at abortion
20 clinics in the second and third trimester.

21 (d) Birthing centers, which are licensed, regulated, and inspected
22 by CDPHE are prohibited from inducing labor because of the associated
23 risks, but second- and third-trimester abortion clinics routinely use
24 labor-inducing drugs without any CDPHE oversight;

25 (e) Second- and third-trimester abortion procedures are associated
26 with significant risk. There is a 10% risk that a complication will arise

1 during a second-trimester abortion, including cervical laceration,
2 hemorrhage, uterine atony, anesthesia complications, uterine perforation,
3 disseminated intravascular coagulation, and retained products of
4 conception, and more than a 1.5% risk that a severe complication will
5 arise, including hospitalization, transfusion, or further surgical
6 intervention. The risk from instrument-assisted third-trimester dilation
7 and extraction abortions is substantial. Blood loss increases by 7% for
8 each additional week increase in gestational age.

9 (f) The risk of dying from an abortion increases 38% for each
10 week of gestation after 8 weeks. The risk of dying from a complication
11 of an induced surgical abortion in the second and third trimester is greater
12 than the risk of dying from procedures performed at ambulatory surgery
13 centers in the United States and Canada, which centers in our state are
14 regulated by CDPHE.

15 (g) The Colorado Maternal Mortality Review Committee
16 (MMRC) recommends strategies to achieve equity in maternal health
17 outcomes and ways to reduce the incidence of preventable maternal
18 mortality and morbidity. Pregnancy-associated mortality and
19 pregnancy-related maternal mortality includes abortion-associated
20 mortality and abortion-related maternal mortality. The MMRC
21 recommends the use of evidence-based patient safety bundles,
22 evidence-based screening tools, and improved coordination of care as key
23 elements to reduce maternal mortality. It is difficult to ensure
24 implementation of the MMRC recommendations without a licensing,
25 regulating, and inspection process for second- and third-trimester abortion
26 clinics.

27 (2) Therefore, the general assembly declares that unregulated

1 second- and third-trimester abortion clinics place Colorado women's lives
2 in jeopardy and should be regulated by CDPHE.

3 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-103, **amend**
4 (1)(a)(I)(A); and **add** (2)(e) as follows:

5 **25-1.5-103. Health facilities - powers and duties of department**
6 **- rules - limitations on rules - definitions.** (1) The department has, in
7 addition to all other powers and duties imposed upon it by law, the
8 powers and duties provided in this section as follows:

9 (a) (I) (A) To annually license and to establish and enforce
10 standards for the operation of general hospitals, hospital units as defined
11 in section 25-3-101 (2), freestanding emergency departments as defined
12 in section 25-1.5-114, critical access hospitals as defined in section
13 25-1.5-114.5, psychiatric hospitals, community clinics, rehabilitation
14 hospitals, convalescent centers, facilities for persons with intellectual and
15 developmental disabilities, nursing care facilities, hospice care, assisted
16 living residences, dialysis treatment clinics, ambulatory surgical centers,
17 birthing centers, SECOND- AND THIRD-TRIMESTER ABORTION CLINICS,
18 home care agencies, and other facilities of a like nature, except those
19 wholly owned and operated by a governmental unit or agency.

20 (2) As used in this section, unless the context otherwise requires:

21 (e) "SECOND- AND THIRD-TRIMESTER ABORTION CLINIC" MEANS A
22 MEDICAL FACILITY THAT PERFORMS EITHER MEDICAL OR SURGICAL
23 INDUCED ABORTIONS AFTER THE FIRST TRIMESTER OF PREGNANCY BUT
24 DOES NOT INCLUDE A HOSPITAL OR HOSPITAL UNIT THAT PERFORMS THESE
25 PROCEDURES BUT IS REGULATED SEPARATELY.

26 **SECTION 3. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2026 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.