

Chapter Med 12

ABORTIONS

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Med 12.01 Application. The rules in this chapter are adopted in accordance with the authority delegated to the medical examining board under section 15.08 (5), Wis. Stats., and are for the professional and ethical guidance of the medical profession. Violations of these rules will be considered to be detrimental to the best interests of the public within the meaning of section 448.18(1) (g), Wis. Stats.

History: Cr. Register, January, 1974, No. 217, eff. 2-1-74.

Med 12.02 Abortion defined. Within the meaning of this chapter, abortion means the artificial, intentional disruption or removal of the implanted blastocyst, embryo, or fetus from the uterus of a pregnant woman by whatever means.

History: Cr. Register, January, 1974, No. 217, eff. 2-1-74.

Med 12.03 Practice of medicine and surgery. The performance of abortions involves medical and surgical procedures which are governed by the Medical Practice Act and must be performed by physicians duly licensed by the medical examining board. No physician shall be required to perform an abortion.

History: Cr. Register, January, 1974, No. 217, eff. 2-1-74.

Med 12.04 First 12 weeks of gestation. (1) If an abortion is to be performed by a physician during the first 12 weeks of gestation in a facility other than a hospital approved under section 140.26, Wis. Stats., in which general surgical procedures are customarily performed, the physician shall:

- (a) Provide preoperative instructions and counseling of the patient by appropriately trained individuals.
- (b) Provide a receiving facility where the patient may be prepared and may receive necessary preoperative medication and observation.
- (c) Perform and record preoperative history and physical examination; verify the existence and duration of pregnancy, and perform appropriate laboratory procedures including, as a minimum, blood typing, Rh factor determination, hemoglobin determination, white blood count, and urinalysis.
- (d) Provide for prevention of Rh sensitization.
- (e) Provide a physical place where the abortion procedure is carried out, and use techniques and procedures which assure proper sterility, asepsis, and antisepsis.
- (f) Provide for appropriate equipment and appropriately trained personnel for operative procedures, anesthesia, and resuscitation.

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(g) Have arrangements with a hospital approved under section 140.26, Wis. Stats., for admission of patients needing hospital care. Such hospital shall be located sufficiently near the facility used so that the patient could be transferred to and arrive at the hospital within 30 minutes of the time when hospitalization appears necessary.

(h) Provide a recovery facility where the patient can be observed until she has sufficiently recovered from the procedure and the anesthesia and can be safely discharged by the physician.

(i) Provide for postoperative instructions and arrangements for follow-up.

(j) Maintain at the facility adequate permanent records relating to all such patients covering the above matters.

History: Cr. Register, January, 1974, No. 217, eff. 2-1-74.

Med 12.05 After 12 weeks gestation. If an abortion is to be performed after the twelfth week of gestation, except in an emergency, it must be performed in a hospital approved by the state under section 140.26, Wis. Stats., in which general surgical procedures are customarily performed.

History: Cr. Register, January, 1974, No. 217, eff. 2-1-74.