

## 36-2151. Definitions

In this article, unless the context otherwise requires:

1. "Abortion" means the use of any means to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will cause, with reasonable likelihood, the death of the unborn child. Abortion does not include birth control devices, oral contraceptives used to inhibit or prevent ovulation, conception or the implantation of a fertilized ovum in the uterus or the use of any means to save the life or preserve the health of the unborn child, to preserve the life or health of the child after a live birth, to terminate an ectopic pregnancy or to remove a dead fetus.
2. "Auscultation" means the act of listening for sounds made by internal organs of the unborn child, specifically for a heartbeat, using an ultrasound transducer and fetal heart rate monitor.
3. "Bodily remains" means the physical remains, corpse or body parts of an unborn child who has been expelled or extracted from his or her mother through abortion.
4. "Conception" means the fusion of a human spermatozoon with a human ovum.
5. "Final disposition" has the same meaning prescribed in section 36-301.
6. "Genetic abnormality" has the same meaning prescribed in section 13-3603.02.
7. "Gestational age" means the age of the unborn child as calculated from the first day of the last menstrual period of the pregnant woman.
8. "Health professional" has the same meaning prescribed in section 32-3201.
9. "Medical emergency" means a condition that, on the basis of the physician's good faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible impairment of a major bodily function.
10. "Medication abortion" means the use of any medication, drug or other substance that is intended to cause or induce an abortion.
11. "Physician" means a person who is licensed pursuant to title 32, chapter 13 or 17.
12. "Pregnant" or "pregnancy" means a female reproductive condition of having a developing unborn child in the body and that begins with conception.
13. "Probable gestational age" means the gestational age of the unborn child at the time the abortion is planned to be performed and as determined with reasonable probability by the attending physician.
14. "Surgical abortion" means the use of a surgical instrument or a machine to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will cause, with reasonable likelihood, the death of the unborn child. Surgical abortion does not include the use of any means to increase the probability of a live birth, to preserve the life or health of the child after a live birth, to terminate an ectopic pregnancy or to remove a dead fetus. Surgical abortion does not include patient care incidental to the procedure.
15. "Ultrasound" means the use of ultrasonic waves for diagnostic or therapeutic purposes to monitor a developing unborn child.
16. "Unborn child" means the offspring of human beings from conception until birth.