

## State Law Overview: Kentucky

### Mandatory Waiting Period

Kentucky has a mandatory waiting period of 48 hours before an abortion can be performed. <sup>1</sup>

### Mandatory Ultrasound

Kentucky has no ultrasound requirement before an abortion. <sup>2</sup>

### Biased Counseling/Informed Consent

Kentucky requires that providers give information on the health risks of pregnancy and fetal development throughout pregnancy before an abortion can be obtained. People seeking abortion are also required to receive counseling face to face. <sup>3</sup>

### Gestational Limits

Kentucky bans abortions after viability. There are exceptions if the pregnancy is the result of rape or incest or if the mother's life or health is at risk from the pregnancy. <sup>4</sup>

### Targeted Regulation of Abortion Providers (TRAP)

Kentucky law requires that outpatient clinics that perform medical and/or aspiration abortions conform to the standards for ambulatory surgical centers. Clinics are also required to have a transfer agreement with a hospital. <sup>5</sup>

### Restrictions on Minors Obtaining Abortion Care

Kentucky requires that a minor obtain a parent or guardian's consent before obtaining an abortion. Minors may obtain a judicial bypass if they do not wish to obtain consent prior to the abortion, and there is an exception to the consent requirement when there is a medical emergency. <sup>6</sup>

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<sup>1</sup> Guttmacher State Policies in Brief, Counseling and Waiting Periods for Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_MWPA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MWPA.pdf)

<sup>2</sup> Guttmacher State Policies in Brief, Requirements for Ultrasounds, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_RFU.pdf](http://www.guttmacher.org/statecenter/spibs/spib_RFU.pdf)

<sup>3</sup> Guttmacher State Policies in Brief, Counseling and Waiting Periods for Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_MWPA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MWPA.pdf)

<sup>4</sup> Guttmacher State Policies in Brief, State Policies on Later Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_PLTA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_PLTA.pdf)

<sup>5</sup> Guttmacher State Policies in Brief, Targeted Regulation for Abortion Providers, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_TRAP.pdf](http://www.guttmacher.org/statecenter/spibs/spib_TRAP.pdf)

<sup>6</sup> Guttmacher State Policies in Brief, Parental Involvement in Minors' Abortions, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_PIMA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_PIMA.pdf)

### **Restriction of Private and Public Insurance Coverage of Abortion**

Medicaid in Kentucky will not reimburse for abortion unless the pregnancy is the result of rape or incest or the life of the mother is endangered. Kentucky law also restricts all private insurance coverage and coverage purchased through the health exchanges from covering abortion except when the life of the mother is threatened. Health coverage for state employees does not cover abortion under any circumstances. <sup>7</sup>

### **Counseling Ban/Gag Rule**

Kentucky law restricts some individuals and organizations that receive state funds from discussing or referring for abortion. <sup>8</sup>

### **Crisis Pregnancy Centers**

Kentucky has no laws regulating crisis pregnancy centers, and funds from a license plate program are given to them statewide. <sup>9 10</sup>

### **Refusal to Provide Medical Services**

Kentucky law allows individuals and institutions to refuse to provide abortions. <sup>11</sup>

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<sup>7</sup> Guttmacher State Policies in Brief, Restricting Insurance Coverage of Abortion, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_RICA.pdf](http://www.guttmacher.org/statecenter/spibs/spib_RICA.pdf)

<sup>8</sup> NARAL, *Who Decides: the Status of Women's Reproductive Rights in the United States*, 2016, *available at* <http://www.prochoiceamerica.org/assets/download-files/2016-wd-report.pdf>

<sup>9</sup> Guttmacher State Policies in Brief, 'Choose Life' License Plates, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_CLLP.pdf](http://www.guttmacher.org/statecenter/spibs/spib_CLLP.pdf)

<sup>10</sup> NARAL, *Who Decides: the Status of Women's Reproductive Rights in the United States*, 2016, *available at* <http://www.prochoiceamerica.org/assets/download-files/2016-wd-report.pdf>

<sup>11</sup> Guttmacher State Policies in Brief, Refusing to Provide Health Services, Jan. 1, 2016, *available at* [http://www.guttmacher.org/statecenter/spibs/spib\\_RPHS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_RPHS.pdf)