

Kansas Administrative Regulations

Attorney General

Article 10.—Child Rape Protection

16-10-2. Preservation and submission of fetal tissue.

(a) Each physician who performs an abortion on a minor who is younger than 14 years of age shall perform, or shall ensure that the physician's staff performs, the following steps:

(1) Keep at least one fetal tissue collection kit provided by the K.B.I. on hand at all times and obtain replacement kits from the K.B.I. as needed; and

(2) collect, preserve, and ship fetal tissue using one of these fetal tissue collection kits.

(b) The document titled "Kansas bureau of investigation fetal tissue collection kit instructions," dated October 26, 2005, is hereby adopted by reference. In accordance with the kit instructions and within two hours after completing the abortion, each physician shall perform, or shall ensure that the physician's staff performs, the following:

(1) Complete the evidence custody receipt form provided by the K.B.I. and contained in the kit;

(2) collect the amount and type of tissue prescribed by the kit instructions;

(3) preserve, secure, and label the tissue specimen as instructed;

(4) ship the tissue specimen and the original of the evidence custody receipt form to the K.B.I. within the time limit and in the manner specified by the kit instructions; and

(5) mail a copy of the evidence custody receipt form by first-class mail to the appropriate law enforcement department as follows:

(A) The city police department, if the abortion is performed within the city limits; or

(B) the county sheriff's department, if the abortion is performed outside the city limits.

(c) The evidence custody receipt form shall contain the following information in plain, legible printing or typeface:

(1) The name, address, and telephone number of the medical care facility or other location where the abortion is performed;

(2) the name, address, and telephone number of the physician performing the abortion;

(3) the name, date of birth, residential address, and telephone number of the minor upon whom the abortion is performed;

(4) the name, residential address, and telephone number of the parent or legal guardian of the minor upon whom the abortion is performed;

(5) the date and time when the tissue specimen is collected;

(6) the date on which the tissue specimen is shipped;

(7) the signature of the person collecting the tissue specimen; and

(8) the signature of the person shipping the tissue specimen.

(Authorized by and implementing L. 2005, Ch. 149, § 3; effective, T-16-7-11-05, July 11, 2005; effective Nov. 18, 2005.)

***** Authenticated Kansas Administrative Regulation *****