

Clinical Guidance to Assist in Medical Decision and/or Documentation of Abortion-Related Care Under New Jersey Law

UPDATED **JANUARY 20, 2023**. THE LAW IS CHANGING RAPIDLY. THIS INFORMATION WILL BE REVIEWED ON A WEEKLY BASIS AND UPDATED AS NEEDED TO REFLECT ANY SIGNIFICANT CHANGES.

Understanding the Guidance

1. The guidance on the slides that follow is merely guidance; all patient care decisions are made by clinicians.
2. The material on these slides is dense. The guidance has been written with intention, to provide clarity to the extent possible. Please read and consider carefully.
3. If concerns arise regarding patient safety, as a clinician, your first priority is the care of your patient. Clinicians should continue to prioritize appropriate patient care by adhering to commonly understood Medical Standards of Care, consistent with applicable law.

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When a potentially pregnant patient presents in the hospital:

STEP 1: Is the patient pregnant?



- **NO** criminal or civil liability for appropriate medical care.
 - There is no civil or criminal liability for miscarriage care.
 - There is no civil or criminal liability for contraceptive measures, including post-sexual assault prophylaxis.

STEP 2: What type of pregnancy?

- **NO** criminal or civil liability for performing an abortion at **ANY** gestational age.
- In New Jersey, per statute, every individual has the right to choose whether to carry a pregnancy, to give birth, or to terminate a pregnancy.
- New Jersey's state constitution recognizes the right of women to control their bodies.