

3701-47-07

**Appropriate Methods for Determining Presence of a Fetal Heartbeat.**

- (A) "Fetal heartbeat" means cardiac activity or the steady and repetitive rhythmic contraction of the fetal heart within the gestational sac.
- (B) "Standard medical practice" means the degree of skill, care, and diligence that a physician of the same medical specialty would employ in like circumstances. As applied to the method used to determine the presence of a fetal heartbeat for purposes of section 2919.192 of the Revised Code, "standard medical practice" includes employing the appropriate means of detection depending on the estimated gestational age of the fetus and the condition of the woman and her pregnancy.
- (C) Any person who intends to perform or induce an abortion on a pregnant woman is required to determine whether there is a detectable fetal heartbeat of the unborn human individual the pregnant woman is carrying. The method of determining the presence of a fetal heartbeat is to be consistent with the person's good faith understanding of standard medical practice and meet the following minimum requirements:
- (1) Any person who intends to perform or induce an abortion on a pregnant woman is required to use real-time ultrasound equipment with a transducer of appropriate frequency.
  - (2) Prior to performing or inducing an abortion, a person is required to determine the presence of a fetal heartbeat by using properly maintained and functioning ultrasound equipment.
- (D) It is required of the person who determines the presence or absence of a fetal heartbeat to record in the pregnant woman's medical record the estimated gestational age of the unborn human individual, the method used to test for a fetal heartbeat, the date and time of the test, and the results of the test.
- (E) It is required of the person who determines the presence or absence of a fetal heartbeat to include the estimated gestational age of the unborn human individual, the method used to test for a fetal heart beat, the date and time of the test, and the results of the test on the confidential abortion report that is filed with the department of health.

Effective: 6/24/2022

CERTIFIED ELECTRONICALLY

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Certification

06/24/2022

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Date

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