

SENATOR LANDIS: Okay.

SENATOR LINDSAY: But I would think you've fairly...

SENATOR LANDIS: Okay.

SENATOR LINDSAY: ...(inaudible.)

SENATOR LANDIS: In other words, the sanction to be used here is the same sanction as if, in a case of heart surgery, information wasn't given, in the case of an appendix information wasn't given, in the case of chemotherapy for cancer information wasn't given. It would be the same standard and that is the failure of the doctor to perform a professional act. And understand that if it is as many pro-life advocates claim, that there are women with severe post-abortion trauma...

PRESIDENT MOUL: One minute.

SENATOR LANDIS: ...believe me, there'll be some potential plaintiffs out there to carry these cases forward if, in fact, that's true. I don't know whether they'll be there, but I think that's entirely possible. Understand that the Bohlke amendment suggests to you that a woman promised this kind of informed consent who fails to receive it has exactly the same sanctions that any heart patient, any kidney patient, any cancer patient, any emergency room patient would otherwise get and that would be enough information to basically give voluntarily one's informed consent. What we've done then in the Bohlke amendment is to identify that body of information which would constitute informed consent. In other cases, we rely on the professional judgment of doctors. In this case, we would name for the doctor what they would...

PRESIDENT MOUL: Time.

SENATOR LANDIS: ...have to say. That, I think, is a sufficient sanction. It's one every other patient in every other medical case in this state relies on. That should be enough in this case.

PRESIDENT MOUL: Thank you, Senator Landis. Senator Bohlke.

SENATOR BOHLKE: Madam President, members, simply for the record