

Oklahoma State Board of Medical Licensure and Supervision

IMPORTANT ABORTION REPORTING REQUIREMENTS

Any physician practicing in Oklahoma:

- According to Oklahoma Law ([63 O.S. §§ 1-738\(l\)](#)), any physician practicing in Oklahoma who encounters an illness or injury that a reasonably knowledgeable physician would judge is related to an induced abortion shall complete and submit, electronically or by regular mail, a Complications of Induced Abortion Report to the Department of Health as soon as is practicable after the encounter with the induced-abortion-related illness or injury, but in no case more than sixty (60) days after such an encounter.
- The Complications of Induced Abortion Report can be found on the State Department of Health's web site,
http://www.ok.gov/health2/documents/HCI_ITOP_ComplicationsInducedAbortionReport.pdf
- According to the State Department of Health's web site, if you are a provider that performs abortions as defined by Oklahoma statute or needing to complete and file an Individual Abortion Form and/or a Complication of Induced Abortion Report as required by Oklahoma statute you need to register by going to
https://www.ok.gov/triton/modules/formbuilder/form.php?form_id=76bb2a1395aadbe9e89afe4d36ce919f44a79284695c8272e5f8d5db908ae5be

Any physician performing abortions:

- According to Oklahoma Law ([63 O.S. §§ 1-738\(k\)](#)), any physician performing abortions shall fully complete and submit, electronically, an Individual Abortion Form to the State Department of Health by the last business day of the calendar month following the month in which the physician performs an abortion, for each abortion the physician performs. The Individual Abortion form can be found on the State Department of Health's web site,
http://www.ok.gov/health2/documents/HCI_ITOP_IndividualAbortionForm20131101.pdf
- According to Oklahoma Law ([63 O.S. §§ 1-729\(a\)](#)), If a physician provides RU-486 (mifepristone) for the purpose of inducing an abortion and if the physician knows that the female who uses the RU-486 (mifepristone) experiences within one (1) year after the use of RU-486 (mifepristone) an incomplete abortion, severe bleeding, or an adverse reaction to the RU-486 (mifepristone) or is hospitalized, receives a transfusion, or experiences any other serious event, the physician shall, as soon as is practicable, but in no case more than sixty (60) days after the physician learns of the adverse reaction or serious event, provide a written report of the incomplete abortion, severe bleeding, adverse reaction, hospitalization, transfusion, or serious event to the drug manufacturer. If the physician is a doctor of medicine, the physician shall simultaneously provide a copy of the report to the State Board of Medical Licensure and Supervision. If the physician is a doctor of

osteopathy, the physician shall simultaneously provide a copy of the report to the State Board of Osteopathic Examiners.

- Each physician who provided, or whose agent provided information concerning perinatal hospice to any female patient seeking an abortion of her unborn child diagnosed with a fetal anomaly incompatible with life must, by law ([63 O.S. § 1-746.6\(c\)](#)), submit a report to the State Board of Medical Licensure and Supervision by February 28 following the calendar year the information was given. The link to this report can be accessed at www.awomansright.org. Reports not submitted by thirty (30) days following the due date shall be subject to a late fee of Five-Hundred Dollars (\$500.00) for each additional thirty-day-period or a portion of a thirty-day-period they are overdue. For ease of reporting, the Board of Medical Licensure and Supervision has set up the report so the physician or agent of the physician can fill out the report monthly.

Any physician providing information who does not subsequently perform an abortion:

- In addition, Oklahoma Law ([63 O.S. §§ 1-738\(k\)](#)), provides in cases in which a physician or the agent of a physician has provided the printed materials required by law to a female seeking an abortion or her parent, but the physician does not subsequently perform an abortion, the physician shall electronically submit a completed Individual Abortion Form and shall mark as “not applicable” those items of information that may accurately be provided only when an abortion is performed. This form shall be submitted by the last business day of the second calendar month following the calendar month in which the physician or agent provides the informed consent materials. The physician shall not submit such a form if the physician knows that an abortion was subsequently performed by another physician.
- The Individual Abortion form can be found on the State Department of Health’s web site, http://www.ok.gov/health2/documents/HCI_ITOP_IndividualAbortionForm20131101.pdf

Penalties for late submission, no submission and incomplete submission of forms or reports:

According to Oklahoma Law ([63 O.S. §§ 1-738\(n\)](#)),

- Individual Abortion Forms or Complications of Induced Abortion Reports that are not submitted by the end of a grace period of thirty (30) days following the due date shall be subject to a late fee of five Hundred Dollars (\$500.00) for each additional thirty-day period the forms or reports are overdue.
- Any physician required to report in accordance with the Statistical Abortion Reporting Act who has not completed and electronically submitted a form or report, or has submitted only an incomplete form or report, more than one (1) year following the due date shall be precluded from renewing his or her license until such fines are paid in full and outstanding forms or reports are submitted, and may, in an action brought by the State Department of Health, be directed by a court of competent

jurisdiction to electronically submit completed forms or reports within a period stated by court order or be subject to sanctions for civil contempt.

- Anyone who knowingly or recklessly fails to submit an Individual Abortion Form or Complications of Induced Abortion Report, or submits false information under the Statistical Abortion Reporting Act, shall be guilty of a misdemeanor.

According to Oklahoma Law ([63 O.S. § 1-746.6\(d\)](#)), concerning perinatal hospice informed consent,

- Reports that are not submitted by the end of a grace period of thirty (30) days following the due date shall be subject to a late fee of Five Hundred Dollars (\$500.00) for each additional thirty-day-period or portion of a thirty-day-period they are overdue. Any physician required to report in accordance with this section who has not submitted a report, or has submitted only an incomplete report, more than one (1) year following the due date, may, in an action brought by the Board, be directed by a court of competent jurisdiction to submit a complete report within a period stated by court order or be subject to sanctions for civil contempt.

Periodic inspections of certain facilities:

The State Department of Health, the State Board of Medical Licensure and Supervision and the State Board of Osteopathic Examiners shall ensure compliance with the Statistical Abortion Reporting Act and shall verify the data provided by periodic inspections of places where the Department, the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners know or have reason to believe abortions are performed.

Oklahoma

Induced Termination of Pregnancy (ITOP) Documentation

Induced Termination of Pregnancy (ITOP) Reporting Highlights

The Oklahoma State Department of Health (OSDH) began routine abortion surveillance in 2000 to document the number and characteristics of women obtaining legal induced abortions, also known as induced termination of pregnancy (ITOP). Abortion surveillance provides the data necessary to examine the trend in total numbers, as well as the demographic characteristics of women who obtain legal induced abortions and to increase the awareness of an additional aspect in the spectrum of pregnancy outcomes. These data are necessary to improve the health and wellbeing of both women and infants.

In Oklahoma, "abortion" is defined as the purposeful termination of a human pregnancy, by any person with an intention other than to produce a live birth or to remove a dead unborn child (63 O.S. Section 1-730). Abortion may legally be performed if the unborn child is less than 24 weeks which at which point the law defines unborn child as viable (63 O.S. Section 1-738).

Reporting of abortions is required by Oklahoma statute (63 O.S. Section 1-738). These reports are legal records maintained by the Oklahoma State Department of Health and are designed to collect information for statistical and research purposes only. For convenience and in accordance with Oklahoma statute (63 O.S. Section 1-738) the following document has been provided which contains all Oklahoma Statutes and regulations directly related to abortion at the following link: [Abortion Statutes](#) (PDF, 853 KB).

On November 1, 2010 law was added and went into effect March 1, 2012 that requires any physician performing abortions to fully complete and submit, electronically, an "Individual Abortion Form" to the State Department of Health by the last business day of the calendar month following the month in which the physician performs an abortion, for each abortion the physician performs. This law also provided the information that shall be collected on the form. Additionally, law went into effect that requires any physician practicing in Oklahoma who encounters an illness or injury that a reasonably knowledgeable physician would judge is related to an induced abortion shall complete and submit, electronically or by regular mail, a "Complications of Induced Abortion Report" to the Department as soon as is practicable after the encounter with the induced-abortion-related illness or injury, but in no case more than sixty (60) days after such an encounter.

Non-Compliance

The law states "Individual Abortion Forms or Complications of Induced Abortion Reports that are not submitted by the end of a grace period of thirty (30) days following the due date shall be subject to a late fee of Five Hundred Dollars (\$500.00) for each additional thirty-day period the forms or reports are overdue. Any physician required to report in accordance with the Statistical Abortion Reporting Act who has not completed and electronically submitted a form or report, or has submitted only an incomplete form or report, more than one (1) year following the due date shall be precluded from renewing his or her license until such fines are paid in full and outstanding forms or reports are submitted, and may, in an action brought by the State Department of Health, be directed by a court of competent jurisdiction to electronically submit completed forms or reports within a period stated by court order or be subject to sanctions for civil contempt.

Anyone who knowingly or recklessly fails to submit an Individual Abortion Form or Complications of Induced Abortion Report, or submits false information under the Statistical Abortion Reporting Act, shall be guilty of a misdemeanor."

Links to ITOP Reporting Forms and Registration Information

Sample ITOP reporting forms can be found at the hyperlinks below, are included in these educational materials, and are available at the OSDH ITOP site:

http://www.ok.gov/health/Data_and_Statistics/Center_For_Health_Statistics/Health_Care_Information/Induced_Termination_of_Pregnancy/index.html

The following sample documents outline all of the information collected on the official forms which shall be completed and filed electronically. For access to the official forms, please read the information below regarding registration.

- [Individual Abortion Form - effective Nov. 1, 2013](#) (PDF, 440 KB)
- [Complication of Induced Abortion Report](#) (PDF, 82 KB)

Registration

If you are a provider who performs abortions as defined by Oklahoma statute or needing to complete and file an “Individual Abortion Form” and/or a “Complication of Induced Abortion Report” as required by Oklahoma statute please register by clicking this link: [Registration Form](#).

Other Forms

- [Physician Medical Emergency Affidavit](#) (PDF, 440 KB)
- [Parental Consent Form](#) (PDF, 82 KB)
- [Consent of a Minor & Parental Consent Statement](#) (PDF, 551 KB)

ITOP Reports

The [Abortion Surveillance in Oklahoma 2002-2012](#) (PDF, 442 KB) report contains data about legally induced terminations of pregnancy in Oklahoma during 2002-2012.

Detailed statistics are available on [OK2SHARE](#) by year from 2002 to present, by county, select demographics, type of procedure and gestational age. In addition, certain reports are available by year and county.

Contact Information

If you have questions please contact:

Health Care Information

1000 NE 10th Street, Oklahoma City, OK 73117

Phone: (405) 271.6225

Fax: (405) 271.9061