
c2019-089A
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LEGISLATIVE COUNCIL

Reproductive Health Care Reform Bill 2019

Second print

Proposed amendment

No. 1 **Care of child born alive after termination**

Page 3. Insert after line 44—

7 Care of child born alive after termination

- (1) This section applies if a termination results in a child being born alive.
- (2) The medical practitioner who performed the termination, and any other registered health practitioner present at the time the child is born, must take all necessary steps to ensure the child receives the same neonatal care that would be given to any other child born at the same stage of pregnancy and in the same medical condition.
- (3) Without limiting subsection (2), if the child is born in a hospital that does not have a neonatal intensive care unit, the medical practitioner must arrange for the child to be transferred, as soon as practicable, to a hospital that has a neonatal intensive care unit.
- (4) If a child is born alive following a termination the child is taken to be at risk of significant harm for the purposes of Parts 2 and 3 of Chapter 3 of the *Children and Young Persons (Care and Protection) Act 1998*.
- (5) To avoid any doubt, if a child is born alive following a termination but dies within 28 days after birth, the child's death is taken to be a reportable death for the purposes of the *Coroners Act 2009*.