



Cabinet Social Wellbeing Committee

Minute of Decision

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Regulation of Information Collection from Abortion and Sterilisation Service Providers

Portfolio Associate Health (Hon Dr Ayesha Verrall)

On 19 May 2021, the Cabinet Social Wellbeing Committee:

- 1 **noted** that the passing of the Abortion Legislation Act 2020 introduced information collection, review and reporting obligations on the Director-General of Health for contraception, sterilisation, abortion, abortion-related information and advice, and abortion-related counselling services;
- 2 **noted** that regulations are needed to enable the Director-General of Health to fulfil the above obligations under the Contraception, Sterilisation and Abortion Act 1977;
- 3 **noted** that current temporary notification provisions for abortion service providers expire on 24 September 2021;
- 4 **agreed** to make regulations requiring:
 - 4.1 abortion service providers to submit information to the Director-General of Health about each abortion within a month of the abortion being provided;
 - 4.2 abortion and sterilisation service providers to submit information to the Director-General of Health annually about their services;
- 5 **agreed** that the information to be submitted by abortion service providers about each abortion within a month of each abortion being provided should include information on:
 - 5.1 service provision and quality:
 - 5.1.1 name and address of provider;
 - 5.1.2 how the abortion consultation was provided;
 - 5.1.3 whether the individual self-referred;
 - 5.1.4 the date of the procedure and wait times;
 - 5.1.5 type of procedure used and the type of health practitioner performing the procedure;

- 5.1.6 how the abortion was funded and whether the individual was charged for the service or associated medical costs and for which services they were charged;
 - 5.1.7 the detail of complications occurring before discharge;
 - 5.1.8 whether the individual required an interpreter;
 - 5.1.9 whether the individual received abortion-related counselling, and the name and location of the service provider, and wait times for counselling;
 - 5.1.10 the relationship of any person who gave informed consent on behalf of the individual receiving the procedure, details of any assessment carried out to determine the capacity of the individual to give or refuse consent, including the qualifications and relationship to the individual of the person carrying out the assessment, any court order regarding the capacity of the individual and/or the performance of the procedure;
 - 5.1.11 whether sterilisation was carried out at the same time as the abortion procedure;
 - 5.2 demographics: age of individual, ethnicity, gender identity, disability status, New Zealand resident status, the individual's residential area;
 - 5.3 reproductive health: number of previous pregnancies expressed as live births and induced abortions, the estimated duration of the pregnancy, the type of contraception used at conception and the type of contraception provided at the time of the abortion;
- 6 **agreed** that the information to be submitted annually by abortion service providers should include:
- 6.1 the details of the provider;
 - 6.2 whether their facility also provides abortion-related counselling, and the training, qualifications and professional membership of any individuals providing that counselling at that facility;
 - 6.3 the type of procedures and abortion-related counselling available;
 - 6.4 the costs of abortion services, including directly related medical costs, the cost of abortion-related counselling services their facility provides, and the circumstances under which individuals may face a charge for these services;
 - 6.5 the gestational limits they perform up to;
 - 6.6 the number and type of health professionals at the facility, ethnicity and gender breakdown of the workforce at the facility;
 - 6.7 how many enquiries they have received about performing abortions because of a preference for the fetus to be of a particular sex;
 - 6.8 the number of and time spent on consultations where the individual has chosen not to proceed with an abortion;
 - 6.9 the number of abortion procedures refused by practitioners, the grounds and the processes they have in place to ensure individuals they are not able not help have access to appropriate services;

- 6.10 what interpreting services they offer;
- 6.11 details of any cultural competency and inclusivity training completed by each service provider;
- 7 **agreed** that the information to be submitted annually by sterilisation service providers should include:
- 7.1 the details of the provider;
- 7.2 the number of sterilisation procedures refused by practitioners and the reasons;
- 7.3 the types of procedures they offer;
- 7.4 average wait times and the cost to the individual;
- 8 **invited** the Associate Minister of Health (Hon Dr Ayesha Verrall) (the Minister) to issue drafting instructions to the Parliamentary Counsel Office to draft regulations under the Contraception, Sterilisation and Abortion Act 1977 to implement the decisions in paragraphs 4 to 7 above;
- 9 **authorised** the Minister to make any technical and minor decisions required to finalise the regulations, in line with the above decisions.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Jacinda Ardern
Hon Grant Robertson
Hon Kelvin Davis
Hon Dr Megan Woods
Hon Chris Hipkins
Hon Carmel Sepuloni (Chair)
Hon Andrew Little
Hon Peeni Henare
Hon Jan Tinetti
Hon Dr Ayesha Verrall
Hon Aupito William Sio
Hon Meka Whaitiri

Officials present from:

Office of the Prime Minister
Office of the SWC Chair
Officials Committee for SWC