Office-Based Procedure, Surgery and Anesthesia (OBS) Laws vs. Targeted Regulation of Abortion Providers (TRAP) Laws

Targeted Regulation of Abortion Providers (TRAP laws) do not bring abortion-providing facilities in line with other health care facilities, but instead subject them to different and more stringent requirements.

PREVALENCE

States have enacted:
- 25 OBS laws in 25 states
- 55 TRAP laws in 34 states

APPLICABILITY

Level of Sedation
- 92% of OBS laws only apply to facilities using a specified level of anesthesia or sedation.
- 0% of TRAP laws apply to abortion-providing facilities based on the level of anesthesia or sedation they use.

Types of Interventions
- Twelve percent of OBS laws apply to facilities regardless of whether they provide any procedures or surgeries.
- Eighty percent of TRAP laws apply to facilities that provide medication abortion even if they provide no procedures or surgeries at all.

FACILITY REQUIREMENTS

- 25 OBS laws:
  - 16% Facility Licensing
  - 16% Separate Recovery Room
  - 8% Specific Minimum Hallway or Doorway Widths

- 39 TRAP laws:
  - 92% Facility Licensing
  - 51% Separate Recovery Room
  - 36% Specific Minimum Hallway or Doorway Widths

ARRANGEMENTS FOR PATIENT TRANSFERS

The majority of OBS laws and TRAP laws require arrangements for patient transfers but the type of arrangements required differ significantly.

- 40% Plan or Protocol Satisfactory for Transfers
- 40% Hospital Transfer Agreements and/or Physician Admitting Privileges Required
- 10% Penalties for Non-Compliance

PENALTIES FOR NON-COMPLIANCE

- 28% Criminal Penalties, Fines, and/or Licensing Sanctions
- 71% Sanctions


For more information, visit www.ansirh.org