

PERMANENT INJUNCTION AND RESTRAINING ORDER

IT IS THUS ORDERED FROM THIS COURT:

1) That all attending physicians who provide abortion services are required to personally inform patients of those requirements stated in T.C.A. § 39-15-202(b)(1-6), as interpreted in this opinion;

2) That all district attorneys are enjoined from prosecuting or enforcing any provisions inconsistent with this opinion, the one Knox County pending prosecutor excepted, subject to further orders of an appellate court and/or the future actions of the legislature;

3) That the general waiting period is unconstitutional and should not be enforced;

4) That an abortion may be performed in a clinic not later than 14 weeks from the first day of the last menstrual period based on accepted medical standards of calculation; and in an "ambulatory surgical center" up to 18 weeks from the first day of the last menstrual period based on accepted medical standards of calculation; that for these purposes, the Court interprets "hospital" and "ambulatory surgical center" to be synonymous; but that "ambulatory surgical centers" must comply with recommendations prescribed by the standards of ACOG;

5) That the provision relating to abortions upon minors is constitutional and should be enforced as interpreted.

IT IS SO ORDERED BY THIS COURT.

ENTERED ON THIS 19th DAY OF November, 1992.

  
JUDGE HAMILTON GAYDEN