



## Ohio Administrative Code

### Rule 3701-46-02 Consent form for disposition of fetal remains.

Effective: January 9, 2022

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(A) The director will develop and make available a consent form as required in division (B)(1) of section 3726.04 of the Revised Code. This form will be used if the pregnant woman is under eighteen years of age, and will include a place for a parent, guardian, or custodian to consent, unless:

- (1) The pregnant woman is married; or
- (2) The pregnant woman is emancipated.

(B) The consent form is not needed if a pregnant woman who is a minor has an order authorizing her to consent under section 2151.85 of the Revised Code or a court has provided consent pursuant to division (C) of section 2919.121 of the Revised Code. A pregnant woman who is able to provide consent or has obtained consent by the court may exercise her rights under division (A) of section 3726.04 of the Revised Code using the detachable supplement form.

(C) A consent form is to be completed for each zygote, blastocyte, embryo and fetus that will be aborted. A consent form that is for more than one zygote, blastocyte, embryo and fetus is invalid.

(D) If a medical emergency or medical necessity prevents the completion of the form in paragraph (A) of this rule prior to the abortion, the abortion facility will develop a procedure to have the form completed within a reasonable time after the medical emergency or medical necessity has ended.

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