

Playing Politics with Missourians' Reproductive Health: Medically Unnecessary Abortion Restrictions & Rolling Back Nondiscrimination Protections

[Senate Bill 1](#) - [Sen. Onder](#) (R-2, Lake St. Louis)

Anti-abortion politicians are pushing yet another extreme measure that has nothing to do with patient safety and everything to do with restricting access to safe, legal abortion in Missouri.

Senate Bill 1 singles out Missouri abortion providers and health centers to impose additional medically unnecessary restrictions to safe, legal abortion. This measure also politicizes enforcement of abortion laws and prohibits cities from protecting citizens from discrimination based on one's own reproductive health decisions.

Patient health and safety are Planned Parenthood's top priority and are central to its mission. Every day, Planned Parenthood works to make sure patients receive the high-quality health care they need in a safe, respectful environment. That includes providing abortion.

- Abortion is one of the safest medical procedures performed in the United States. Data, including from the Centers for Disease Control (CDC), show that abortion has a greater than 99 percent safety record.
- Planned Parenthood adheres to medical standards and guidelines that are informed by the most trusted medical knowledge, as well as professional and scientific organizations, including the CDC, the Food and Drug Administration, the US Preventive Services Task Force, and the American College of Obstetricians and Gynecologists (ACOG).

Senate Bill 1 imposes medically unnecessary restrictions that have one goal: making it more difficult for a woman to access safe, legal abortion.

- None of Senate Bill 1's measures — including mandatory annual inspections, new reporting requirements, and restrictions on the types of health care professionals who may meet with a patient for an informed consent appointment — are medically necessary or based in evidence.
- The annual inspection mandate and reporting requirements single out abortion providers for increased scrutiny and do not protect patient health or safety. The Department of Health and Senior Services (DHSS) currently determines the inspection schedule for health centers, as required by law.
- Medically unnecessary, burdensome regulations that single out abortion providers must be recognized as part of an effort to drastically reduce access to safe, legal abortion.

Senate Bill 1 does not meet the U.S. Supreme Court's new standard. It is important for legislators and the public to know that last summer's landmark U.S. Supreme Court decision in *Whole Woman's*

Health v. Hellerstedt established a much clearer legal standard that abortion restrictions must meet: the benefit of a given abortion restriction must outweigh the burden it imposes.

- Under the new standard, if lawmakers pass a medically unnecessary barrier to safe, legal abortion in the name of “women’s health and safety,” they must show that it *actually benefits women’s health and safety*. Courts will no longer take politicians’ word for it.
- This new standard applies to any and all abortion restrictions, whether it’s a TRAP law, a restriction on a certain medical procedure, or a restriction on the doctors who provide reproductive health care. The state cannot place *any* burden on access to abortion without a legitimate reason, and even if there is such a reason, the courts are now responsible for balancing that justification with the restriction of access.
- The *Whole Woman’s Health* decision immediately struck down medically unnecessary restrictions in Texas. Less than 24 hours after the ruling, efforts to enforce similar abortion restrictions in Alabama, Mississippi, and Wisconsin fell.
- Planned Parenthood sued to strike down similar restrictions in Missouri, and a federal court has blocked them from being enforced. Senate Bill 1 disregards U.S. Supreme Court precedent and the federal court order by allowing requirements to be created that are at least as restrictive as the ones currently blocked.
- Given the clear standard set in *Whole Woman’s Health* and the current federal court order blocking medically unnecessary abortion restrictions, passing more restrictions is a poor use of legislative time and state resources. These measures do not protect patients’ health and safety and they will lead to costly taxpayer-funded legal battles.

Senate Bill 1 is an overly broad attempt to prohibit cities from protecting their citizens against discrimination based on their reproductive health decisions.

- This bill preempts a new St. Louis City law that bans employment and housing discrimination against individuals based on their personal reproductive health decisions. The local law prohibits, for instance, an employer from firing a woman because she gets pregnant, uses birth control, or has an abortion. Senate Bill 1 undoes these important protections and prohibits all other cities from enacting them.
- Instead of rolling back protections for those who live and work in the City of St. Louis, lawmakers should pass them for all Missourians. Employers should not be allowed to fire or otherwise discriminate against women for their personal decisions about their own health care.
- Senate Bill 1 prohibits cities from regulating so-called “pregnancy resource centers” (PRCs), which are on record providing false and misleading information to women, men and young people about pregnancy and sex. Currently, PRCs are not required to provide factual or medically accurate information. Senate Bill 1 would block cities from enforcing laws that protect client confidentiality or guard against false and misleading advertising.

Senate Bill 1 politicizes enforcement of abortion laws.

- Senate Bill 1 changes the procedure for enforcement of Missouri abortion laws by granting the attorney general original jurisdiction. Currently, the prosecutor in each county is responsible for enforcing most state laws.
- Senate Bill 1 singles out abortion providers and health centers for politicized regulation and lets a Jefferson City politician supersede the local prosecutors’ judgment.