

## **HB253 - Abortion Amendments**

Sponsor: Rep. Steve Christiansen

### **This bill would:**

- **Require that informed consent for abortions happen in person, prohibiting telehealth as an option**
- **Require patients to sign a certificate *under penalty of perjury* in the presence of a witness from the health center that they viewed the entire online module**
- **Make changes to the online module to include video images of fetal development, audio of fetal heartbeats, and photos and descriptions of abortion procedures.**
- **Require reporting of abortion procedure complications including by type, clinic location, and whether the complication occurred at the clinic or in another location**
- **\$50,000 fine for a physician who violates this statute**

### **Talking Points:**

- **Let's be clear: this bill would do nothing to help or better inform patients seeking abortion. It seeks to shame and stigmatize those seeking abortion and would only make it harder for Utahns to get an abortion. Especially during a pandemic, people need more access to health care instead of having to navigate barriers that could increase exposure to COVID-19.**
  - Abortion is one of the safest medical procedures performed in the United States. Data, including from the CDC, shows that abortion has over a 99 percent safety record.
  - These medically unnecessary restrictions won't make patients safer. Instead, it will hurt our communities by pushing abortion out of reach for many in our state.
    - **Forcing patients to travel long distances and delaying their care during a pandemic increases their risks of contracting COVID-19. This will disproportionately impact essential and front line workers — many of whom are people of color and people with low incomes.**
- **HB 253 would make the existing counseling restrictions and waiting period in Utah even more extreme. By requiring women to make two trips to an abortion provider, this bill would make the informed consent process much more onerous, expensive, and time consuming for patients seeking abortion.**
  - Utah law already requires that patients undergo a lengthy "informed consent" process, and that patients wait 72 hours after receiving state-mandated information before receiving an abortion. The law currently allows patients to receive this information via telehealth, without having to make two trips to a clinic, but this bill would prohibit that option.
  - By making the informed consent process more complicated and difficult, HB 253 will further delay patients access to necessary care and, for some people, result in a complete denial of care.
  - Some patients will have to travel hundreds of miles roundtrip, *twice* in order to provide consent and access care.
  - HB 253 would disproportionately impact women who live in rural areas of our state and families who are economically disadvantaged. Women with low-incomes are generally the

most affected by abortion restrictions because they often face the most challenges: taking time off from work, finding child care, and paying for travel.

- Likewise, women who live in rural areas, those who do not have access to transportation or those who already have families to take care of may find it particularly difficult to make two trips to a clinic, which may be hours from their home.
- This bill makes no exceptions for women who are victims of rape or incest, and will be especially harmful for women who experience domestic violence. Victims are often most vulnerable during a pregnancy. Having to find time, money, and a method of traveling to a health clinic twice in the course of a matter of days can put women who are fearful of disclosing their pregnancy status to their partners or abusers at especially severe risk.
- In 2016, in *Whole Woman's Health v. Hellerstedt*, the Supreme Court recognized that travel, and the burdens that come along with it, can create insurmountable hurdles for patients seeking abortion care.

- **HB 253 would prohibit health clinics from providing counseling in a safe and efficient manner that is most accessible and cost-effective for patients.**
  - Current Utah law allows the informed consent process to be completed through telehealth.
  - The ability of telemedicine to increase access to health care for patients living in remote areas is particularly important given the significant health disparities that exist between patients living in rural and urban areas.
  - Telemedicine is especially critical right now, in the midst of the COVID-19 pandemic because it eliminates the risk of spreading or contracting infections when visiting hospitals or clinics.
  - In fact, during the COVID-19 pandemic, telemedicine has been expanded in every single state in the country—but instead of taking the dangers of COVID-19 seriously, the proponents of this bill would put women at greater risk, or deny them abortion care altogether.
  - Major medical associations support the use of telemedicine, and there is no medical reason that telehealth cannot be effective for providing informed consent to abortion patients.
- **Patients should have access to comprehensive, accurate, and compassionate medical care. They should not be shamed and stigmatized for their health care choices.**
  - HB 253 would subject women to stigmatizing, state-mandated messaging that is misleading and, for most patients, irrelevant to their health care needs and the care they are seeking.
- **HB 253 represents further intrusion by politicians into patient care. This intrusion interferes with and undermines the doctor-patient relationship.**
  - Doctors know better than politicians what's right for their patients - and these decisions should be made according to their advice and expertise, not a politician's ideological agenda.
- **It is a disgrace that in the face of a true public health crisis, politicians are still focusing on restricting access to basic health care rather than protecting their constituents. This is the type of misguided priorities that has weakened our public health system at a time when we need it the most.**
  - Elected officials should be focused on responding to the pandemic at hand and finding ways to combat this public health crisis, not playing politics with people's health care.
  - Instead, they are wasting valuable time and energy to prioritize taking away access to our most basic rights and freedoms.

- How can we be confident that our elected leaders can handle something as serious as the ongoing pandemic if the same politicians are so willing to attack health care to score political points? Now is the time for our elected leaders to act on policy solutions to fight this public health crisis.
- **When politicians attack health care, they disproportionately impact people of color, women, the LGBTQ community, and people with disabilities who already experience the most systemic barriers to care. We must work to ensure access to health care does not depend on who you are, where you live, or how much money you make.**
- **If these politicians truly valued life, they would get to work solving public health crises like the ongoing surge in COVID-19 cases, economic turmoil caused by the pandemic, and rising maternal mortality rates. Restricting abortion only makes a bad public health situation worse and puts pregnant people's lives in jeopardy.**
  - The pandemic is exacerbating existing public health crises and disparities, like dire maternal mortality outcomes.
  - Utahns do not want more abortion restrictions. According to [2020 polling](#), 80% of Utahns agree that there should be no further restrictions on abortion access in Utah.
- **At Planned Parenthood, the health and safety of our patients, staff, and community is our top priority. Unlike politicians in the capitol, we're focused on protecting their rights and freedoms to access health care when and where they choose.**
  - Planned Parenthood's doors remain open. Planned Parenthood will continue doing everything it can to ensure patients can continue to access abortion, no matter what.