

Partner Consent – Demeaning and Dangerous to Women

[HB 131](#) Rep. Brattin (R-55) Harrisonville

The bill makes it illegal for a physician to provide an abortion to a woman without notarized permission from the woman's male partner. In its written form, the only exceptions are in cases in which the pregnancy is a medical emergency or the result of rape or incest. In an interview, Representative Brattin told *Mother Jones* that rape exception only applies to a "legitimate rape" that has been reported authorities.

Women should never be required to need permission to take care of their own health care. Period. Planned Parenthood respects a woman's ability to make her own health care decisions - whether that be to choose adoption, end a pregnancy or raise a child. It is demeaning and dangerous for politicians to give a male partner veto power over a woman's health care decisions.

This restriction is unconstitutional. The US Supreme Court held that spousal notification was unconstitutional over two decades ago and has never revisited the issue. Requiring consent from the woman's partner gives him veto power over the decision, which is clearly a significant obstacle to obtaining an abortion. In *Planned Parenthood of Southeastern PA v Casey*, the Supreme Court, in considering the prevalence of spousal abuse, stated, "[t]he spousal notification requirement is thus likely to prevent a significant number of women from obtaining an abortion. It does not merely make abortions a little more difficult or expensive to obtain; for many women, it will impose a substantial obstacle. We must not blind ourselves to the fact that the significant number of women who fear for their safety and the safety of their children are likely to be deterred from procuring an abortion as surely as if the Commonwealth had outlawed abortion in all cases." [\[505 U.S. 833, 894\]](#)

While most women do consult their partner when deciding whether to have a child, it is important to recognize that not every woman is in a safe relationship. Intimate partner violence is a real problem in our society and HB 131 would put women at risk.

Source: [American College of Obstetricians and Gynecologists](#)

- More than one in three women in the United States have experienced rape, physical violence, or stalking by an intimate partner in their lifetime.
- Approximately 324,000 pregnant women are abused each year in the United States.
- Intimate partner violence caused 2,340 deaths in 2007; of this number, 1,640 were female and 700 were male.
- Homicide has been reported as a leading cause of maternal mortality, with the majority perpetrated by a current or former intimate partner.
- High rates of birth control sabotage and pregnancy pressure and coercion in abusive relationships are correlated with unintended pregnancies.

Missouri legislators continue to ignore pressing public health crises in Missouri, including the 877,000 uninsured Missourians and disproportionately high infant and maternal mortality rates, while wasting legislative resources on bills such as this. Missourians do not want a repeat of 2014 when the Missouri Legislature introduced over 30 bills restricting women's access to reproductive health care and passing one of the country's most extreme laws – tripling the state mandated delay to 72 hours after a woman has gone through the informed consent process for an abortion. Rather than attacking women's health and restricting the state's only abortion provider, Planned Parenthood Advocates calls on the legislature to focus on improving access to health care through Medicaid Expansion.