

Topics	Current Law:	<u>Proposed Massachusetts' Remove Obstacles and Expand Abortion Access Act (ROE Act)</u>	Issues and Problems
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Name of Bill is Deceiving and an attempt to manipulate people

NA

Title of New Bill: Bill H.3320 *"An Act removing obstacles and expanding access to women's reproductive health"*

The Proposed Law does nothing to help women gain better care or access to Reproductive health. It is an Abortion Bill.

There is no expanded access, cost reductions or any other actions for basic women's reproductive health issues

The Following Important Procedures are not even mentioned in the proposed bill:

- * Mammography Screening
- * Pabst Smears
- * Blood tests
- * Menopause
- * Hysterectomy
- * Fertility
- * Cervical Screening
- * Sexually Transmitted Infections
- * chronic health problems (such as endometriosis and polycystic ovary syndrome)

Legal Definition of Abortion

Current wording of Massachusetts General Law 112, section 12K:

Abortion: the knowing destruction of the life of an unborn child or the intentional expulsion or removal of an unborn child from the womb other than for the principal purpose of producing a live birth or removing a dead fetus.

Pregnancy: the condition of a mother carrying an unborn child.

Unborn child: the individual human life in existence and developing from implantation of the embryo in the uterus until birth.

Proposed Language of New Law:

Abortion: any medical treatment intended to induce the termination of a clinically diagnosable pregnancy except for the purpose of producing a live birth. The term abortion does not include miscarriage management.

Pregnancy: means the presence of an implanted human embryo or fetus within a person's uterus.

The ROE Act attempts to redefine what an abortion actually is by removing the words "unborn child" and "mother" from the legal definitions of pregnancy and abortion. Despite the fact that a fetus has 100% unique Human DNA,

ROE Proponents state the current defintions are inflammatory and the Fetus is not human, thus it is not an unborn child... and it's not a mother's uterus, but rather a person's uterus.

Penalties for Violation of the Abortion Code

Current Law: Section 12N. Any person who violates the provisions of sections twelve L or twelve M shall be punished by imprisonment for not less than one year nor more than five years. Conduct which violates the provisions of this act, which also violates any other criminal laws of the commonwealth, may be punished either under the provisions of sections 12K to 12U, inclusive, or under such other applicable criminal laws.

No Penalties or Violations for breaking new law

The new Law eliminates any and all penalties for any violations. Anyone can break the new law and suffer no consequences.

Abortion and Minors Parental Consent (18 years and younger)

Current Law :
Requires Parental Consent for All Medical and Dental Procedures for Minors, under 18 years of age.

Establishes a "Judicial ByPass" process whereby a minor can seek to bypass getting Parental Consent

New Law: SECTION 3. Section 12F of Chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line XXX, the words "abortion or".

Unrestricted Age Access to Abortion Services.
No Parental Consent required for any minor at any age.
Judicial ByPass System eliminated.

Eliminating all Parental Consent and a Judicial Bypass Process for minors seeking abortion means that the **many girls, including sex-trafficked and otherwise abused girls, who are trapped in desperate situations, will not be able to escape. The system designed to catch these abused girls would be completely dismantled if the new law passes.**

Parents are only notified of the abortion if the child dies or is immediately hospitalized... but parents would still not be told what caused the death or injury due to privacy.

Issue: **Minors still needs consent for Dental Work and All Medical Procedures except Abortion.**

Healthy start program; medical assistance for pregnant women and infants;

(The Healthy Start Program targets communities with infant mortality rates that are at least one and a half times the U.S. national average. We also aim to reduce other negative birth outcomes such as maternal mortality – a growing and serious problem in our nation – as well as poverty, education, access to care, and other socioeconomic factors.)

Current Law: (i) all medically necessary care to maintain health during the course of the pregnancy and delivery, including newborn hospital care;

Proposed Change to Law: (i) all medically necessary care relative to pregnancy, **including but not limited to abortion**, care to maintain health during the course of the pregnancy and delivery, and newborn hospital care;

Issue: **How Can a baby participate in the Healthy Start Program or get the necessary infant care if it is aborted?**
A dead baby can not have a healthy start.

Healthy Start is a free program that provides education and care coordination to pregnant women and families of children under the age of three. The goal of the program is to lower risk factors associated with preterm birth, low birth weight, infant mortality and poor developmental outcomes. Mar 21, 2019

Written Consent and 24 Hour Waiting Period

Current Law: Section 12Q. Except in an emergency requiring immediate action, no abortion may be performed under sections twelve L or twelve M unless the written informed consent of the proper person or persons has been delivered to the physician performing the abortion as set forth in section twelve S; and if the abortion is during or after the thirteenth week of pregnancy, it is performed in a hospital duly authorized to provide facilities for general surgery

12N. Prior to performing an abortion, a physician shall obtain the pregnant patient's written informed consent on a form prescribed by the Commissioner of Public Health. A pregnant person seeking an abortion shall sign the consent form before the abortion is performed, except in an emergency requiring immediate action. The consent form and any other forms shall be confidential and may not be released to any person other than to the pregnant person to whom such documents relate or the operating physician, except by the pregnant patient's written consent; provided, however, **that this requirement shall not impose any waiting period between the signing of the consent form and the performance of the abortion.**

24 Hour Waiting Period is eliminated with New Law. If new Law Passes, a 16 year old can find out she's pregnant and in an unstable emotional state, without talking to any of her family or friends, can decide to immediately abort the unborn child. No waiting period. No Counseling on what her options are.

Abortion Availability til Moment of Birth

Current Law: Section 12M. If a pregnancy has existed for twenty-four weeks or more, no abortion may be performed except by a physician and only if it is necessary to save the life of the mother, or if a continuation of her pregnancy will impose on her a substantial risk of grave impairment of her physical or mental health.

Section 12L. The Commonwealth shall not interfere with a person's personal decision and ability to prevent, commence, terminate, or continue their own pregnancy consistent with this chapter.

The Commonwealth shall not restrict the use of medically appropriate methods of abortion or the manner in which medically appropriate abortion is provided. A physician, acting within their lawful scope of practice, may perform an abortion when, according to the physician's best medical judgment based on the facts of the patient's case, the patient is beyond twenty-four weeks from the commencement of pregnancy and the abortion is necessary to protect the patient's life or physical or mental health, in cases of lethal fetal anomalies, or where the fetus is incompatible with sustained life outside the uterus. Medical judgment may be exercised in the light of all factors—physical, emotional, psychological, familial, and the person's age—relevant to the well-being of the patient.

The new law would allow Partial Birth Abortions up until the moment of birth, just before head exits the birth canal.

Doctors can use any technique they want to kill the child.

The section that states, "Medical judgment may be exercised in the light of all factors—physical, emotional, psychological, familial, and the person's age relevant to the well-being of the patient."

This section allows abortion to the moment of birth for any reason whatsoever. It is broad enough to cover everything.

Abortions after 24 weeks

Current Law: Section 12O. If an abortion is performed pursuant to section twelve M, no abortion procedure which is designed to destroy the life of the unborn child or injure the unborn child in its mother's womb may be used unless, in the physician's best medical judgment, all other available procedures would create a greater risk of death or serious bodily harm to the mother either at the time of the abortion, or subsequently as the result of a future pregnancy, than the one being used. **In other words: Abortions after 24 weeks can only be performed as last resort and must take into consideration the preservation of life and health of mother and the unborn child.**

SECTION 2. Said Chapter 112 of the General Laws is hereby **further amended by striking out Sections 12L through 12U, inclusive,** as so appearing, and inserting in place thereof the following sections:

Section 12L. The Commonwealth shall not interfere with a person's personal decision and ability to prevent, commence, terminate, or continue their own pregnancy consistent with this chapter.

The Commonwealth shall not restrict the use of medically appropriate methods of abortion or the manner in which medically appropriate abortion is provided.

Whereas the existing law allows Abortion after 24 weeks in cases where there is no other healthier alternative for the mother, **the new law removes all "last resort" requirements and excludes any efforts to save the mother and child simultaneously.**

In addition Abortions no longer have to be done in a Hospital.

In addition, all research and studies showing complications of Abortion after 24 weeks can be ignored. **The facts state that it is often safer for a woman's life to deliver the baby rather than abort it.**

With Abortion complication rates exceeding 50% after the 2nd Trimester, How does this improve women's health care? According to US Government National Institutes of Health, Updated Nov 2018

Complications based on gestational age are as follows:
Eight weeks and under - Less than 1%
8-12 weeks - 1.5-2%
12-13 weeks - 3-6%
2nd trimester - Up to 50%

If a child survives an abortion attempt, all reasonable steps must be taken to help the child since it is now out of the womb

Current Law: Section 12P. If an abortion is performed pursuant to section twelve M, the physician performing the abortion shall take all reasonable steps, both during and subsequent to the abortion, in keeping with good medical practice, consistent with the procedure being used, to preserve the life and health of the aborted child. Such steps shall include the presence of life-supporting equipment, as defined by the department of public health, in the room where the abortion is to be performed.

SECTION 2. Said Chapter 112 of the General Laws is hereby **further amended by striking out Sections 12L through 12U, inclusive**, as so appearing, and inserting in place thereof the following sections:

Section 12P Eliminated. No effort needs to be made to save the life of a child who survives a last minute abortion attempt.

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The new law removes requirement for lifesaving medical equipment to be present in the room where the Abortion is going to occur. So if the partial birth abortion fails while the child is being delivered, the infant will be allowed to die on the floor or table.