

Committee: House Health and Government Operation Committee

Bill: House Bill 858 - Health – Abortion – Ultrasound and Waiting Period

Hearing Date: March 15, 2024

Position: Oppose

The Women's Law Center of Maryland opposes *HB 858 – Health – Abortion – Ultrasound and Waiting Period*. The bill proposes a waiting period for abortion care of 24 hours for people who live 100 miles or less away or 2 hours for people living over 100 miles away. The bill would also require the provider to use transvaginal ultrasound. Providers who violate the waiting period or transvaginal ultrasound provision would be subject to a \$2,500 fine.

This legislation is designed to impede access to abortion care. Individuals seeking care would have to make two trips for abortion care. This places a significant burden on people with limited income, time, or transportation options. The requirement accomplishes no clinical purpose and endangers individuals who need emergency care. Maryland law does not impose these requirements for any other type of care.

There are two types of ultrasound methods – abdominal and transvaginal. Requiring transvaginal ultrasound for a procedure can be akin to rape. When state legislatures first began considering this type of legislation about fifteen years ago, one physician commented, “I do not feel that it is reactionary or even inaccurate to describe an unwanted, non-indicated transvaginal ultrasound as ‘rape.’ If I insert ANY object into ANY orifice without informed consent, it is rape. And coercion of any kind negates consent, informed or otherwise.”ⁱ

We ask for an unfavorable report. This legislation would marginalize abortion care and inflict trauma on people seeking to end their pregnancies. If any additional information would be helpful, please contact Robyn Elliott at relliott@policypartners.net.

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<https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=7467&context=jclc>

The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.

