



To: House Health and Government Operations Committee

Date: March 19, 2021

RE: Opposition to House Bill 1198 – Public Health – Abortion-Induced Drugs

Our organizations are opposed to *House 1198 – Public Health – Abortion-Induced Drugs*. The bill imposes dangerous restrictions on prescribing medications used in medication abortion. Providers use two medications, mifepristone and misoprostol, for medication abortion. While the only clinical application of mifepristone is medication abortion, misoprostol may be used for miscarriage management and treatment of postpartum hemorrhages. We oppose HB 1198 for the following reasons:

- **Eliminates Access to Medication Abortion:** The bill imposes a complex, confusing, and clinically unjustified web of requirements on physicians prescribing an abortion-inducing drug. Health care providers would be at risk of being charged with a felony for violation of any provision of the bill, even administrative requirements. Given that few providers could bear this level of risk, the bill would effectively eliminate access to medication abortion. Medication abortion is safe, effective, and may be provided up to 70 days in gestational age.
- **Jeopardizes the Health of Pregnant and Postpartum Individuals:** The bill provides for an exception to its requirements for providers who prescribe medication to treat a maternal disease or illness. However, providers may be afraid to utilize misoprostol in miscarriage management and postpartum treatment. They are vulnerable to criminal and civil penalties if there is a difference between how clinicians and the legal system interpret the exceptions in the bill. Thus, providers may be afraid to prescribe misoprostol for any reason – even outside of medication abortion.
- **Promotes Misinformation about Medication Abortion and Abortion “Reversal Treatment:** The bill mandates the content of the information that providers must give to medication abortion patients. The mandated information is misleading and designed to discourage individuals from obtaining medication abortions. The information includes the concept of “reversal treatment” of abortion, which has no basis in clinical evidence. The Department of Health would be required to post this information, including a reference to [www.abortionpillreversal.com](http://www.abortionpillreversal.com), on its website.

- **Exposure of Clinical Information to the Public:** The bill has extensive reporting requirements for providers of medication abortion, including the reporting of adverse events. These requirements are designed to intimidate both providers and patients. Although the patients' names would be redacted, the bill specifies that the adverse event reports – which contain personal health information – would be considered public under the Public Information Act.

We ask for an unfavorable vote on HB 1198. The bill jeopardizes the health of patients in Maryland, and it effectively eliminates access to medication abortion in Maryland.