
BILL NO: Senate Bill 535
TITLE: Unborn Child Protection From Dismemberment Abortion Act of 2022
COMMITTEE: Finance
HEARING DATE: March 16, 2022
POSITION: **OPPOSE**

Senate Bill 535 would outlaw abortion using a specific safe medical procedure. The Women's Law Center of Maryland, Inc. opposes Senate Bill 535 because it creates undue risks on woman's health, and invades very personal decisions that women have a constitutional right to make. Doctors, who are always in the best position to determine the appropriate medical course of action, should be free to make medical decisions without fear of litigation from disgruntled spouses or parents of the pregnant woman.

Senate Bill 535 is model Right to Life legislation also being offered in other states. It is a bald attempt to restrict abortion without any medical or scientific basis. There is no evidence presented that the method it seeks to prohibit is unsafe. Most importantly, the medical profession should be making these decisions, not the legislature. The additional affront of this bill are the provisions offering a right to sue to a wide range of people. The idea that the pregnant person's parents would have a right to sue if they do not agree with the pregnant person's decision to terminate a pregnancy takes us back to the dark ages, when women and children were considered mere chattel, not allowed to make personal decisions about themselves. The idea that men could sue a doctor for performing a medical procedure is more of the same. Decisions about pregnancy are and should remain a matter between a pregnant woman and their doctor. Any attempt to restrict or interfere with that relationship relegates the woman to the concept of being nothing more than a "host" for the fetus.

SB 535 may force medical care providers to provide substandard care to pregnant patients, in lieu of this safe procedure, or to provide no care at all, in fear of litigation. This is untenable.

The Guttmacher Institute has information regarding other states' attempt to pass this law.¹ This legislation, or ones substantially similar, have been found to be an unconstitutional burden on a women's right to choose. Maryland has supported a woman's right to choose at least since Question Six in 1992, and there is no support that the citizens of this state want this type of change in our public policy.

For these reasons, the Women's Law Center urges an unfavorable report on Senate Bill 535.

The Women's Law Center of Maryland is a private, non-profit, membership 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.

¹ <https://www.guttmacher.org/state-policy/explore/bans-specific-abortion-methods-used-after-first-trimester>, last viewed March 7, 2022.