

Senate Finance Committee

Senate Bill 535 – Unborn Child Protection from Dismemberment Abortion Act

March 11, 2022

Oppose

Planned Parenthood of Maryland (PPM) opposes SB 535. The bill proposes to ban the most common method of second trimester abortion, known as dilation and evacuation (or “D&E”). The only exception to the prohibition is for “medical emergencies” which is defined in the bill as the risk of death or substantial and irreversible physical impairment of a major bodily function. PPM opposes this bill for the following reasons:

- **This bill is an attempt to legislate health care decisions.** Any medical decision, including decisions about pregnancy, should be made by a individual in consultation with their health care provider;
- **The bill is dangerous to women’s health:** Health care providers should be able to consider all medical options with their patients. The proposed ban on a safe method is not medically justified, as second trimester abortion is very safe with a low risk of complications¹. This method ban would put women at risk, as it would force health care practitioners to provide sub-standard care:
 - One alternative requires an additional procedure, such as an injection through the women’s abdomen or cervix, which increases a woman’s risk of complications; and
 - Another alternative is induction, which typically takes place in a hospital and forces a woman to go through labor. Induction is associated with a higher risk of complications.
- **Eliminating Access - Sub-Standard Care or No Care:** Health care practitioners will be placed in the difficult position of offering riskier methods or providing no second trimester abortion services at all. Placed in this difficult position, providers may not offer second trimester services.
- **This bill will penalize physicians who are helping women.** The bill contains multiple provisions to penalize physicians through disciplinary action by the Board of Physicians, substantial civil fines, and civil lawsuits. As a result, any physician who performs a later abortion – even when there is a medical emergency – will be putting themselves at risk; and
- **The bill is unconstitutional.** Federal district courts have blocked similar legislation in Kansas, Oklahoma, Alabama, and Louisiana.

We ask for an unfavorable report. If we can provide any additional information, please contact Robyn Elliott at relliott@policypartners.net.