

HB0626, Deborah Williams-Crews, Unfavorable

The Pregnant Person's Freedom Act of 2022, is a very dangerous bill because of the subjective nature of the term viability and language that explicitly takes away the state's ability to investigate and penalize a person "under any circumstance" if related to terminating that person's own pregnancy.

I am a mother of three; I had my first child when I was 37 years old and my last child at 42 years old. I clearly remember an appointment with a specialist my gynecologist referred me to for genetic screening tests based on my age; the specialist stated upfront that there were risks associated with the tests so whether I took the tests or not should depend on whether I would act on the information that would be ascertained from the tests. I said that I would not abort a baby based on the test results; so I was told it would not make sense to take the tests. I tell this story because I consider myself lucky because I could have been sent to a specialist that didn't bother to ask me that question and just assume that "of course", every birthing person should be made aware of the risks of the baby having birth defects. I oppose House Bill 626, in part because of the language that subjects the baby's (fetus's) viability up to the doctor's judgment. Yes it is true that as patients we need to trust our doctor's judgment, but when a life is at stake, **specific criteria needs to be defined** by more than what is called out in § 20–209 of the Health – General Article- "viable" means that stage when, in the best medical judgment of the attending physician based on the particular facts of the case before the physician, there is a reasonable likelihood of the fetus's sustained survival outside the womb-this type of definition gives way to much power to the physician and may lead to physician "shopping" on the part of the birthing person.

House Bill 626, is seriously irresponsible in that it takes away any means for the legal system to verify that there is no criminal action on the part of the doctor or birthing person. The decision of whether a baby (fetus) is viable falls within a gray area medically, legally, and ethically; especially when at the borderline of viability. Whether a baby (fetus) is viable is rapidly improving all of the time according to many government and medical sources, such as the National Institute of Health.

House Bill 626, uses explicit language stating "that the state may not investigate or penalize a pregnant person for terminating the person's own pregnancy **under any circumstance**" this language takes away the state's legal responsibility and obligation for justice. There are situations that may fall outside of what may be considered straight forward in regard to the termination of one's baby (fetus) and should be taken into consideration by the legal system but this bill would stop justice from being pursued, becoming a shrug of the shoulders and "what can we do?" mentality. Please don't let Maryland become that kind of state.

In the year 2022, I think that we see that doctors' judgements are subject to more than medical data, but rather they are people who can make mistakes and I believe this bill hurts the citizens of Maryland and passing it as it is currently written would be harmful to both birthing persons and doctors for the reason that it lacks specific criteria for defining "viable" and may leads to

excessive power in the hands of physicians and may lead to physician “shopping” on the part of the birthing person.