

BILL NO: House Bill 1360
TITLE: Public Health - Abortion-Inducing Drugs
COMMITTEE: Health and Government Operations
HEARING DATE: March 11, 2022
POSITION: **OPPOSE**

The Women's Law Center opposes HB 1360. 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 1360 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, 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.

For the above reasons, we oppose HB 1360 and urge an unfavorable report.

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.