
BILL NO: House Bill 973
TITLE: Health - Abortion - Ultrasound and Waiting Period
COMMITTEE: Health and Government Operations
HEARING DATE: March 16, 2023
POSITION: **OPPOSE**

House Bill 973 would gravely interfere with a woman's statutory right to abortion, all for no medical purpose. The bill provides exceptions only for women who have become pregnant as a result of rape or incest, not for medical emergencies, and shockingly excludes psychological and emotional harm, as well as the risk of self-inflicted harm. Finally, the bill would impose a fine upon medical professionals who do not abide by the requirements, potentially chilling access to needed medical services. The Women's Law Center opposes HB 973 because it unnecessarily interferes with communication that should be between a doctor and a patient and disregards the bodily and intellectual autonomy of women. These decisions should not be governed by politics.

House Bill 973 gives no consideration to individual patients' medical circumstances or their reason for choosing to terminate the pregnancy. A woman and her health care provider need to have open communication free from political interference. Decisions about abortion need to be based on individual patient circumstances. If enacted, this legislation would alter the dialogue between a woman and her health care provider, ignoring individual conditions such as terminating a wanted pregnancy due to a lethal fetal anomaly.

24 Hour Waiting Period

By requiring a provider to conduct an ultrasound with a woman at least 24 hours prior to providing an abortion, this bill imposes a 24-hour waiting period. Mandatory waiting periods that impose delays on women who have already made the decision to have an abortion serve no useful purpose and create substantial, often harmful obstacles¹. Due to the severe and escalating shortage throughout this country of abortion providers, a mandatory waiting period often requires women to make at least two trips the clinic. Women are forced to take multiple days off from work, risk loss of employment, lose wages, leave families unattended or arrange for costly childcare, or travel out of state. Government imposed delays increase risks to women's health². In addition, they endanger women by increasing their exposure to anti-choice violence and harassment at clinics. Anti-choice activists are now trained to trace the license plate numbers of women in order to harass them at their homes during the state mandated delay. The provision for women who live more than one hundred miles away does not change that waiting periods are not medically necessary.

Ultrasound and Dopplers

Requiring a provider to perform an ultrasound serves no medical purpose. In addition, a January 2014 study printed in the *Obstetrics and Gynecology Journal* also showed that viewing ultrasounds has little

¹National Library of Medicine, *Abortion Waiting Periods and Decision Certainty Among People Searching Online for Abortion Care*, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7984762/>

² Guttmacher Institute, *Waiting Periods for Abortion*, <https://www.guttmacher.org/evidence-you-can-use/waiting-periods-abortion>

impact on changing a woman's mind. According to the study, just over 40 percent of women chose to view their ultrasound³. This legislation targets Maryland abortion providers for additional requirements that are not imposed on any other medical procedure or specialty and is clearly politically motivated, not motivated by a desire to protect the health and wellbeing of women in this situation⁴. Providers and patients must have open communication free from interference.

In summary, the requirements set forth in HB 973 are not tied to any medical purpose, nor are they aimed at ensuring women are provided necessary medical information. Rather, the results of this legislation would create an unnecessary and unwarranted interference on a woman's ability to access abortion care. For these reasons, the Women's Law Center urges an unfavorable report on House Bill 973.

The Women's Law Center of Maryland is a private, non-profit legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal representation for individuals and statewide advocacy to achieve systemic change.

³ The American Journal of Ethics, *Mandated Ultrasound Prior to Abortion*, <https://journalofethics.ama-assn.org/article/mandated-ultrasound-prior-abortion/2014-04>

⁴ The American College of Obstetricians and Gynecologists, *Abortion Training and Education*, <https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2014/11/abortion-training-and-education>