
BILL NO:	House Bill 0108
TITLE:	Public Health - Abortion (Heartbeat Bill)
COMMITTEE:	Health and Government Operations
HEARING DATE:	February 27, 2025
POSITION:	OPPOSE

The Women's Law Center of Maryland is dedicated to ensuring the physical safety, economic security, and bodily autonomy of women throughout the state. One way we work towards this goal is by supporting Marylander's reproductive decisions if, when, and how they decide to build their families by ensuring that reproductive health care is treated equitably and fairly as a medical issue and not a political one.

HB 0108 is modeled after a piece of Texas legislation (SB 8, TX 2021) that effectively bans all abortion care, counseling, and support after six weeks of gestation – a period of time that even middle schoolers after their first health class can tell you is not long enough for most people to know that they are even pregnant. Maryland legislators have the advantage over their colleagues in states with similar bans to see the repercussions of this type of law; for example, while the national maternal death rate fell by 7.5% from 2019 to 2023, in Texas it surged by 33% (ProPublica). While the rest of the country has seen a 2% increase in infant mortality since 2021, the rate of infant death in Texas has increased 13%.¹ These "heartbeat" bills are killing women and children, and Maryland does not need to join this public health crisis.

Another completely foreseeable ramification of these laws is the litigation of reproductive health care, which we have already enshrined in our state constitution. A successful civil lawsuit under HB 0108 would allow plaintiffs to collect a minimum of \$10,000 from a medical provider for each abortion challenged. The original Texas bill has created such an environment of fear that today, most Texas hospitals require physicians to consult with staff attorneys when they treat complicated pregnancies and miscarriages. Because of the ban, many physicians have already left Texas, and a recent survey² found that 1 in 5 ob-gyns in Texas are planning to move their practice to another state. Maryland is home to some of the best medical schools in the country; if HB 0108 passes, they will join the ranks of Texas institutions that no longer educate future practitioners on pregnancy complications including miscarriages, ectopic pregnancy care, and more – ensuring more mothers and babies will die.

Growing one's family should be an act of joy, however Maryland already has a higher rate of infant mortality, 5.9 per 1,000 live births, than the national average of 5.5. Maryland's severe maternal morbidity, where mothers develop health issues during or after pregnancy, is also above the federal average. Maryland's rate is about 91 per 10,000 delivery hospitalizations, while the national rate is 88.3. HB 0108 will only exacerbate these crises by eliminating access to reproductive care. This is not a matter of politics – the model bill for HB 0108 has resulted in immeasurable death and suffering, and if passed, Maryland will emulate that future.

Maryland voted to enshrine reproductive freedom in our constitution precisely because of bills like HB 0108 and legislators that seek to subordinate women and mothers by denying them the bodily autonomy enjoyed by men. We will not go back. The Women's Law Center strongly urges a unfavorable report on HB 0108.

The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.

¹ Harris E. Study: Infant Deaths Climbed in Texas After State Banned Abortion. JAMA. 2024;332(6):447.
doi:10.1001/jama.2024.12872

² <https://www.manatt.com/insights/white-papers/2024/texas-obgyn-physician-workforce-study>