



### **Statement of Support HB1271**

Health – Abortion – Ultrasound and Wait Time  
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Maryland Right to Life

#### **We support HB1271**

On behalf of our Board of Directors and members across the state, we strongly support the ability of a woman to give informed consent. A waiting period provides the woman with time to consider her situation and her options and the time to research and discuss those options with family and/or friends. An unplanned pregnancy can cause anxiety or panic in a woman. A waiting period offers time for her to review and analyze her best course rather than rush into action that is irreversible. The requirement to offer the ultrasound image and information obtained from the imaging to the woman is reasonable to provide her with more information to give informed consent. The bill requires offering the ultrasound image and the imaging information, but the woman can refuse that information.

This bill does not prevent a woman from obtaining an abortion. The bill provides her with a short but reasonable time to consider all of her options. Most medical procedures allow patients to review pertinent information and even get a second opinion before moving forward. Women seeking abortion should be given this same opportunity.

Providing a waiting period for a woman to make a decision does not create a burden and is not unconstitutional. The Supreme Court of the United States found waiting periods to be reasonable in the decision for *Planned Parenthood Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992). Justices O'Connor, Kennedy and Souter wrote:

“We next consider the informed consent requirement. Except in medical emergency, the statute requires that at least 24 hours before performing an abortion a physician inform the woman of the nature of the procedure, the health risks of the abortion and of childbirth, and the ‘probable gestational age of the unborn child’ . . .

Our prior decisions establish that as with any medical procedure, the State may require a woman to give her written informed consent to an abortion. . .

In attempting to ensure that a woman apprehend the full consequences of her decision, the State furthers the legitimate purpose of reducing the risk that a woman may elect an abortion, only to discover later, with devastating psychological consequences, that her decision was not fully informed. If the information the State requires to be made available to the woman is truthful and not misleading, the requirement may be permissible. . .



HB1271  
2025

We would think it constitutional for the state to require that in order for there to be informed consent to a kidney transplant operation the recipient must be supplied with information about risks to the donor as well as risks to himself or herself. . .

The idea that important decisions will be more informed and deliberate if they follow some period of reflection does not strike us as unreasonable, particularly where the statute directs that important information become part of the background of the decision.”

The bill provides that women be given a reasonable period of time to make a thoughtful decision and give informed consent as would be afforded to any other patient for any other medical procedure.

**For these reasons, Maryland Right to Life urges a favorable report on HB1271.**