



Mission: To improve public health in Maryland through education and advocacy ***Vision:*** Healthy Marylanders living in Healthy Communities

**Testimony In Opposition of HB 1401
Health – Abortion – Informed Consent
By: Maryland Public Health Association (MdpHA)
March 19, 2026**

Chair Bagnall, Vice-Chair Cullison, and Members of the Health Committee, thank you for the opportunity to testify against HB 1401 which would require qualified providers to inform patients of certain information and obtain signed, written informed consent before performing an abortion.

Maryland already has a doctrine of informed consent which requires that a provider explain the procedure and any risks or dangers to enable the patient to make an informed decision about whether to undergo the treatment.¹

Additionally, the bill would require providers to share medically inaccurate information with patients. Research has demonstrated that having an induced abortion does not increase the risk of depression, secondary infertility, or breast cancer.² Research also shows that the vast majority of individuals who seek an abortion do not regret their decision and remained certain of their decision five years later.³

Finally, voters passed Maryland Question 1 (SB798/HB705) in the November 2024 election which amends the constitution to establish the right to reproductive freedom and the right to make decisions to prevent, continue, or end one’s own pregnancy.⁴ The medically inaccurate information that providers would be required to tell patients as part of this bill could cause unfounded confusion and fear and could impact the patient’s ability to make an informed decision. Therefore, this bill does not appear to align with the constitutional amendment.

We strongly urge you to give an unfavorable report for HB 1401 to ensure that providers are not required to share medically inaccurate information with patients and to preserve access to abortion services for all Marylanders.

The Maryland Public Health Association (MdpHA) is a nonprofit, statewide organization of public health professionals dedicated to improving the lives of all Marylanders through education, advocacy, and collaboration. We support public policies consistent with our vision of healthy Marylanders living in healthy, equitable, communities. MdpHA is the state affiliate of the American Public Health Association, a nearly 145-year-old professional organization dedicated to improving

¹ *Martinez v. Johns Hopkins Hospital*, 212 Md. App. 634, 70 A.3d 397 (2013).

² National Academies of Sciences, Engineering, and Medicine; Health and Medicine Division; Board on Health Care Services; Board on Population Health and Public Health Practice; Committee on Reproductive Health Services: *Assessing the Safety and Quality of Abortion Care in the U.S.: The Safety and Quality of Abortion Care in the United States*. Washington (DC): National Academies Press (US); 2018 Mar 16. 4, Long-Term Health Effects. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK507237/>

³ Rocca, C. H., Samari, G., Foster, D. G., Gould, H., & Kimport, K. (2020). Emotions and decision rightness over five years following an abortion: An examination of decision difficulty and abortion stigma. *Soc Sci Med.*, 248:112704. doi: 10.1016/j.socscimed.2019.112704.

⁴ S.B. 798/CH244, 2023 General Assembly of Maryland, 2023 Reg. Sess. (Maryland, 2023).
<https://mgaleg.maryland.gov/2023RS/bills/sb/sb0798T.pdf>

population health and reducing the health disparities that plague our state and our nation.

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