



Michigan National Organization for Women

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Honorable Gail Haines, Chair
House Health Policy Committee
892 House Office Building
Lansing, Michigan

Dear Representative Haines and Members of the House Health Policy Committee:

The Michigan National Organization for Women is **opposed to HB 5711, 5712, and 5713** in almost every detail. These bills are an assault on the rights of women in the state of Michigan that threaten their lives, their health, and their well-being. They are the most extreme and radical anti-abortion bills ever considered by this legislature in recent memory. We consider them part of the Republican War on Women's rights.

HB 5713 makes it a 15-year felony to abort a fetus that is "pain capable" and defines that as occurring at 20 weeks of gestation. Leaving aside the whole scientific basis for the assertion that fetuses can feel pain, the effect of this provision would be to prevent abortions at 20 weeks or more unless it was to save the life of the mother with no exception to preserve the health or future fertility of the pregnant woman. Often fetal anomalies are discovered at about this time in a pregnancy, or health-threatening conditions for the mother surface. If this bill passes, Michigan women facing this situation would have no recourse but to leave the state for treatment – if they could afford to do so. It is highly questionable whether this bill would be consistent with *Roe v Wade*.

The requirement in HB 5711 that offices providing 6 or more abortions per month be considered freestanding outpatient surgical facilities subject to extensive licensing and regulatory requirements will have the effect of closing down most Michigan clinics that provide abortions and make the remaining ones charge higher fees to pay for the over-regulation.

While closing many Michigan clinics through onerous and unnecessary regulations, the bill would also prohibit use of new telecommunication technology to provide medical abortion access to women not living near one of the few remaining abortion clinics. This would especially affect women in rural areas of the state. It will add cost and delay to acquiring an abortion, driving some women into unsafe and illegal methods of abortion. One-third of all women will have abortions in their lifetime. The legislature needs to make abortion safe and convenient to protect women's health, not throw up barriers to access.

HB 5711 requires elaborate and more expensive procedures for disposition of fetal remains, creating a new 3-year felony for violating the fetal remains procedures and permitting a civil action against

NOW's purpose is to take action to bring women into full participation in the mainstream of American society now, exercising all privileges and responsibilities thereof in truly equal partnership with men.

anyone who violates the new fetal remains procedures. The whole fetal remains controversy was started by an anti-abortion group claiming to find fetuses in a dumpster. Although the clinic was subsequently staked out by law enforcement, they could not find that the clinic was illegally dumping fetuses in the dumpster. No law violations were found and no one was prosecuted, but the anti-abortion group used their phony PhotoShopped pictures of fetuses to fool some legislators into sponsoring fetal remains bills that add ridiculous burial and cremation requirements on abortion providers and women seeking abortions. This again creates added expense to the abortion procedure and unduly burdens a woman's right to an abortion free from government-ordered harassment and bullying.

As to the newly-created "coercion to abort" crime provision in HB 4711, the anti-abortion advocates cleverly have convinced the bill sponsor that this is yet another good way to discourage women from seeking an abortion. She will have to go through extensive interrogation about who among her friends and relatives had an opinion about her unintended pregnancy or medically problematic pregnancy. Friends and relatives could face liability for any expression of support for the abortion option because the woman might perceive that it was coercive. Parents who want their child to have an abortion will be subjected to liability because a parent is in control of the child's financial support. Of course domestic violence associated with pregnancy is illegal just as any domestic violence is. It ought to be reported and prosecuted thoroughly. But abortion providers should have no more responsibility for screening domestic violence victims than any other health providers.

We trust that medical associations will adequately testify that HB 4711 removes their professional judgment in the use of medical abortion drugs. We believe that this provision in the bill is not designed for the safety and health of the patient, but again is designed to discourage abortion, a legal procedure in the United States.

Abortion is one of the safest medical procedures that women experience. The requirement in the bill for abortion providers to carry a million dollars in liability insurance is truly excessive and designed to make abortions so expensive that they are unaffordable.

Michigan NOW advises that you table these bills and turn to positive methods to prevent unintended pregnancies and medically problematic pregnancies that result in abortions. You have a dozen or so bills that are designed to effectively address the issue of abortion prevention in this Committee, but so far you have refused to consider those bills. Instead you are choosing to take on a major legal battle with these bills, expending taxpayer resources to carry out what is basically a religious crusade against women's right to control their own bodies.

Thank you for the opportunity to comment.

Mary Pollock
Legislative Vice President