



BIOETHICS DEFENSE FUND

Law In The Service Of Life

Factsheet on La. HB 388: **Unsafe Abortion Protection Act**

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The Unsafe Abortion Protection Act is legislation drafted by Bioethics Defense Fund with the goal of being a "Texas Plus" model bill. It includes the Texas language upheld by the Fifth Circuit, along with enhanced features that protect the health and safety of women and girls considering abortion.

HB 388 by La. Rep. Katrina Jackson proposes common-sense regulations to protect the lives and safety of pregnant women who may experience short-term risks of abortion, which can include hemorrhage, uterine perforation, cervical tears or infection from incomplete abortion. It has 3 components:

- **The Act will require abortion providers to have admitting privileges within 30 miles of a local hospital.** Louisiana law requires surgeons in facilities classified as "ambulatory surgical centers" to have admitting privileges at a hospital "in the community" so that the physician can admit and treat a patient if an emergency arises. The proposed law would require the equivalent standard for surgical abortion providers.
- **The Act will clarify that informed consent protections and reporting of anonymous data and complications apply to to RU-486 chemical abortions, just as to surgical abortion.** The bill clarifies that physicians in both private offices and licensed outpatient abortion facilities owe women the same informed consent protections and reporting of public health data and abortion complications, whether the abortion is surgical or an RU-486 drug-induced abortion. The bill does **not** apply to emergency contraceptives.
- **The Act will require doctors who perform more than five abortions a year to maintain proper licensing.** Current Louisiana law allows physicians to perform 60 abortions a year before being subject to the health and safety inspections that are required of "licensed outpatient abortion facilities." Because every woman is entitled to the protection of regulated safety standards, this bill will require licensure for physicians who perform five or more abortions per year.

Abortion Drug RU-486 Dangers:

*In 2011, the FDA reported 2,207 adverse events in the U.S. after women used the Mifeprex (RU-486) regimen for the termination of pregnancy. Among those were **14 deaths**, **612 hospitalizations**, **339 blood transfusions**, and **256 infections** (including 48 "severe infections").*

FAQ:

Answering Common Claims about Admitting Privileges Legislation

Some say this is intended to close clinics. What is the purpose of this legislation?

- There is no constitutional right to an unsafe abortion.
- This bill is intended to protect women's health by closing the abortion industry loophole that has allowed incompetent physicians and substandard abortion facilities to multiply at the cost of women's lives and health.
- Many abortion facilities are already in compliance with this normal standard of care, which shows that admitting privileges are not an impossible standard.

Is this legislation “anti-woman” as claimed by some opponents?

- This bill is *by* women and *for* women. In Louisiana, the bill was authored by a woman Representative, sponsored in the Senate by a woman, drafted by a policy expert who is a woman and based on a Texas bill that was upheld by a three-judge panel of women.
- It is important to remember that the main opposition to the Unsafe Abortion Protection Act has been from businesses and organizations with a financial incentive in performing abortion.
- The abortion industry uses alarmist language like “war on women” that is an insult to the intelligence of women who have friends and family members who have been harmed by abortion, or who have been personally injured by abortion.

What about women in rural areas?

- Women in rural areas are entitled to the same standard of care of women in urban areas.

Committee Testimony in Louisiana:

To be pro-life is to respect both the lives of unborn children and their mothers who are our sisters, friends, mothers and daughters. With the leadership of Louisiana Right to Life, the legislative body was educated about how this bill does quite a bit to actually protect women from the substandard abortion clinics that are increasingly making national headlines.

- Bioethics Defense Fund attorney Dorinda Bordlee testified in committee about the Supreme Court language recognizing the state's interest in protecting the health of women undergoing abortion.
- Secretary of Health and Hospitals Kathy Kleibert testified about the similar standards required of ambulatory surgical centers.
- Dr. Robert Marier, former head of the Louisiana Board of Medical Examiners, and Dr. Damon Cudihy, an obstetrician/gynecologist each gave compelling testimony about the known short-term risks of abortion such as hemorrhage and punctured uterus, and the need for abortion providers to have the same high standards of competence and the same duty to provide continuity of care to their patients.
- Deanna Candler, a member of Law Students for Life gave committee testimony summarizing shocking health violations found in Louisiana abortion facilities as documented by department of health inspectors.
- But most compelling was the committee testimony of Cindy Collins, a woman who heads the Louisiana Abortion Recovery Alliance, conveying her own experience of being injured during an abortion, only to be told by the abortion provider to "get up and get out." That courageous woman has since dedicated her life to counseling other women who have first-hand experience that abortion is more than a "minor surgery," as asserted by abortion advocates.

Read the Bill:

The text of the Bioethics Defense Fund drafted model bill sent to the desk of Governor Jindal can be found here:

<http://www.legis.la.gov/legis/ViewDocument.aspx?d=907056&n=HB388>
[Enrolled](#)

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