



**TESTIMONY OF**

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**POLICY DIRECTOR, AMERICAN CIVIL LIBERTIES UNION OF KANSAS**

**IN OPPOSITION OF HB 2274**

**KANSAS HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES**

**FEBRUARY 20, 2019**

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Thank you, Chair Landwehr, and members of the Committee for affording us the opportunity to provide testimony on HB 2274.

The American Civil Liberties Union (ACLU) of Kansas is a non-partisan, non-political membership organization dedicated to preserving and strengthening the constitutional liberties afforded to every resident of Kansas. We work to preserve and strengthen our constitutional rights and freedoms through policy advocacy, litigation, and education. We proudly serve over 40,000 supporters in Kansas and represent more than 1.7 million supporters nationwide.

We urge you to oppose HB 2274, as it is medically unsound and requires doctors to work against their own Hippocratic oath, while putting a woman's health and informed consent in danger.

HB 2274 provides medically inaccurate information as they prepare to get abortion care. Specifically, it requires medical providers to tell women that an abortion may be reversed. This bill is based on a faulty and inconclusive study and seeks to undermine a medical procedure at the expense of a woman's safety and medical rights.

**HB 2274 is based on bad science and falsehoods: "abortion reversal" is not a legitimate medical procedure.**

- The concept of an abortion reversal is based on a 2012 study of six women by anti-abortion doctor George Delgado in which the methodology was not scientifically sound and the results were inconclusive.
1. In the study, women were given an injection of progesterone after taking the first medication in a medication abortion, and before they took the second medication. Some of those women carried to term - which may not be because of the injection, but rather because the first medication isn't designed to work on its own so the abortion doesn't complete.
  2. This study was not supervised by an institutional review board (IRB) or ethical review committee required to protect human research subjects, raising serious questions regarding the validity of the results. In addition, medical professionals have concerns about the experimental nature of using progesterone treatment.
- Eight notable medical groups including the American Academy of Family Physicians, the American Congress of Obstetricians and Gynecologists and the American Medical Women's Association signed onto a letter stating that the medication abortion reversal claim is wholly unsubstantiated by any reliable evidence, with no basis in medical science.
  - In 2016, the Louisiana Department of Health completed a report for the state on whether a medical abortion could be reversed. The panel unanimously concluded that there was neither sufficient evidence nor a scientific basis to conclude that a medication abortion can be reversed. They also expressed great concern with the safety, efficacy, and ethics of the Delgado study.

**HB 2274 aims to undermine a woman's right to a safe abortion and is dangerous for women's health.**

- It is clear that this bill is not about safety, but instead is an act of political interference in a woman's personal, private medical decision, and that it is interfering in the most nefarious way: through misinformation that may cause severe harm.
- Legislative mandates based on unproven, unethical research are dangerous to women's health. There are no other circumstances or procedures in which physicians or the Department of Health and Welfare provide un-sound medical advice to patients.

**HB 2274 undermines the informed consent process and misleads women.**

- Requiring physicians to tell women that a medication abortion may be reversed—despite no scientific or medical evidence to support this claim—undermines the informed consent process and risks misleading women to believe they do not need to be certain about their decision before beginning the medication abortion process.
- This bill is founded on the premise that a woman would or should regret the decision to have an abortion, however medical providers are advised not to perform the procedure

on patients who have not made a firm decision. Studies show that few women experience uncertainty once they decide to have an abortion.

Given the dubious intent of this bill, the shoddy scientific claims behind it, and the interference into the doctor/patient relationship, we urge you not to pass HB 2274, and to oppose any bills of this kind which use unsubstantiated science to manipulate legislation.