

Protect Women's Health

OPPOSE Fetal Anesthesia HB 1556 Delegate Cline

HB 1556 requires doctors to offer to anesthetize a fetus prior to abortion and to include in informational materials a statement that a fetus at 20 gestational weeks has the physical structures necessary to feel pain and react to physical stimuli in a manner that, in an infant or adult, would be interpreted as a response to pain. This bill would also require that an ultrasound be performed at least 24 hours before providing an abortion.

Medical science does not support this legislation

- According to the Journal of the American Medical Association (JAMA) and based on the best available scientific evidence, it is highly improbable that a human fetus has the functional capacity to experience pain before the third trimester of pregnancy—and 99% of abortions are performed well before the third trimester.¹
- Thirty-two national organizations have opposed fetal anesthesia legislation. These groups include the American Public Health Association, the American Medical Association, the American College of Obstetricians and Gynecologists, National Advocates for Pregnant Women and the National Association of Nurse Practitioners in Women's Health.
- The finding of this bill and a similar bill introduced in Congress (S. 51/H.R. 6099, which failed) are biased and unsupported by scientific consensus. A federal district court found in 2004, “[t]he issue of whether fetuses feel pain is unsettled in the scientific community, “[t]here is no consensus of medical opinion on the issue,” and “much of the debate on the issue is based on speculation and inference.”

Requiring a fetus to be anesthetized puts women at risk

- There is no evidence demonstrating the safety of providing analgesia/anesthesia directly to a fetus *in utero* during an abortion.
- Providing experimental fetal analgesia/anesthesia may compromise a woman's safety and pose risks to her health which would be unjustified, give the lack of scientific evidence about the ability of a fetus to feel pain.
- Women are entitled to receive medically accurate and appropriate information based on the best scientific consensus available. An important goal of quality patient care is to inform women of the most up-to-date scientific information. Requiring that women be offered care that is neither necessary nor demonstrated as safe violates that goal.

Mandatory ultrasounds will cause harmful delays to women seeking reproductive care.

- If the doctor does not have ultrasound equipment, a woman must find another doctor to perform the ultrasound prior to receiving abortion care which would impose additional waiting delays.

¹ Lee, Susan J., Ralston, Henry J. Peter, Drey, Eleanor A., Partridge, John Colin, & Mark A. (2005). Fetal Pain: A Systematic Multidisciplinary Review of the Evidence. *Journal of the American Medical Association*, 294 (8), 947-954.

Virginia Pro-Choice Coalition

American Association of University Women of Virginia ♦ American Civil Liberties Union of Virginia ♦ League of Women Voters of Virginia ♦ NARAL Pro-Choice Virginia ♦ National Association of Social Workers – Virginia ♦ National Organization for Women – Virginia ♦ Planned Parenthood Advocates of Virginia ♦ Population Connection ♦ Republican Majority for Choice ♦ Virginia Women's Attorney Association ♦ Virginia Young Democrats ♦ Women's National Democratic Club

Contact: Jessica Honke, Planned Parenthood Advocates of Virginia: Jessica.Honke@ppfa.org or (804) 564-3725

- Further delays, especially for medically unnecessary requirements, could significantly increase the risk to a woman's life or health. This predicament is especially true for low-income women or women from rural areas that may have to travel hundreds of miles to access health care.

Virginia Pro-Choice Coalition

American Association of University Women of Virginia ♦ American Civil Liberties Union of Virginia ♦ League of Women Voters of Virginia ♦ NARAL Pro-Choice Virginia ♦ National Association of Social Workers – Virginia ♦ National Organization for Women – Virginia ♦ Planned Parenthood Advocates of Virginia ♦ Population Connection ♦ Republican Majority for Choice ♦ Virginia Women's Attorney Association ♦ Virginia Young Democrats ♦ Women's National Democratic Club

Contact: Jessica Honke, Planned Parenthood Advocates of Virginia: Jessica.Honke@ppfa.org or (804) 564-3725