

Oppose HB 1639

Anti-Women's Health Initiative

HB 1639 amends the Code of Virginia to include that life begins at the moment of fertilization and the right to the enjoyment of life guaranteed by Article 1, Section 1 of the Constitution is vested in each born and preborn human being from the moment of fertilization.

HB 1639 poses a dear threat to Roe v. Wade.

- If passed, HB 1639 would create tension with the Supreme Court's decision in Roe v. Wade, where the Court ruled that the word 'person' as used in the 14th Amendment does not include the unborn.
- HB 1639 is a direct attempt to establish fetal personhood, by recognizing a fertilized egg or a fetus as a person that has separate legal rights equal to that of a woman in an effort to make all abortion illegal—even in cases of rape, incest, and significant threat to the health or life of the woman.
- This initiative does not include explanatory language that would direct lawmakers, when crafting the implementation of this legislation to carve out a reproductive health exception or to create a "situation of lesser entitlement."

HB 1639 would have wide-ranging consequences—far beyond banning abortion—for women's health.

- It would seriously endanger women's health and privacy—effectively banning abortions, as well as threatening access to many kinds of FDA-approved methods of contraception, including IUDs, emergency contraception and even basic birth control. (These forms of birth control can alter the lining of a woman's uterine wall in a way that makes it inhospitable to fertilized eggs, thereby inhibiting implantation of a fertilized egg and preventing a pregnancy from occurring. Banning the most effective forms of birth control could increase the number of unintended pregnancies in Virginia.)
- It could also be used to criminalize stem cell research and some infertility treatments.
- It ignores the reality of miscarriages and non-implantation – even when a woman is not using a contraceptive method that can inhibit implantation. The American College of Obstetricians and Gynecologists estimates that between one-third and one-half of all fertilized eggs never fully implant.
- It could subject women facing ectopic pregnancies to government interference. Ectopic pregnancies occur when a fertilized egg implants outside of the uterus, such as in the fallopian tube or cervix. Because the location of implantation is not large enough to allow full gestation of the developing fetus, an ectopic pregnancy could result in the rupture of the fallopian tube, cervix, or other organ where implantation occurred if the pregnancy is not terminated.

Virginians will see this effort for what it is—an attempt by extremists to attack legal abortion and contraception. It has far-reaching implications, all of which would allow the government to intrude into the important and private decisions of the citizens of the Commonwealth.

