



**State Representative Derek Merrin
District 47**

**House Bill 214 – Sponsor Testimony
House Health Committee
September 13, 2017**

Chairman Huffman, Vice-Chair Gavarone, Ranking Member Antonio, and members of the Health Committee, thank you for allowing Representative LaTourette and I to present testimony on House Bill 214. As my colleague stated, our legislation protects unborn children from discrimination based on the diagnosis of Down syndrome. I applaud Representative LaTourette’s steadfast work to defend unborn children with Down syndrome in the 131st General Assembly, and I have welcomed the opportunity to partner with her moving forward.

I strongly believe life begins at conception and all unborn children deserve the right to life. Whether a child should live or die, should not be determined by their natural-born appearance, physical characteristics, or disability. The inability or unwillingness of a parent to care for their child should not be a death sentence either. That is why I am proud to joint sponsor The Down Syndrome Non-Discrimination Act that seeks to protect lives threatened by a diagnosis of Down syndrome.

House Bill 135 has been strengthened from the last General Assembly. Rather than prohibiting abortion “solely” for the diagnosis of Down syndrome, this bill prohibits abortion based on a diagnosis “in whole or in part.” The language seeks to close any loophole that could allow a Down syndrome diagnosis to determine whether a child is aborted. Also, our bill requires the attending physician provide written acknowledgement that an abortion was not performed based on a Down syndrome diagnosis to their knowledge. This was done by making it clearer the official abortion report must include language attesting to the compliance of this law, which the physician must fill out to complete the report.

Individuals with Down syndrome are human beings. Their medical condition does not make them any less human than other individuals. All people have medical conditions that arise throughout life. Some conditions are more challenging than others, but they do not make anyone less worthy of life. By supporting abortion for the diagnosis of Down syndrome, one must take the unseemly position that a child with Down syndrome is not equal to other children. That supposition is wrong and morally unacceptable. It should not be legal in the State of Ohio to treat unborn children differently.

Our society and medical community have made great progress with the genetic condition of Down syndrome. As Representative LaTourette stated, individuals with Down syndrome have seen their life expectancy greatly increase. Furthermore, the quality of life for many with Down syndrome has significantly improved. Many individuals with Down syndrome are healthy, productive, employed, and integral members of society. With a better understanding of Down syndrome, our communities and employers are providing more opportunities for them. This positive momentum is growing!

My personal experience has shown me that individuals with Down syndrome are truly treasures to their family, friends, and communities. God uniquely creates each individual and it is imperative to recognize the valuable contributions and gifts that everyone possesses. Individuals with Down syndrome have much to give – love, kindness, and the potential to accomplish remarkable achievements. However, they must be allowed to give. To give, they must be allowed to live.

Unfortunately, our society often places priority on outward appearance or perceived intellectual ability. This vainness and shallowness cannot seep into our laws and legal system. Justice must be blind. As legislators, we must support laws protecting everyone. Our laws cannot reflect a societal bias or lack of understanding that dehumanize those having a medical condition or that do not meet personal, subjective standards of quality. Unborn children with Down syndrome are no exception – they must be protected.

House Bill 214 is a step forward in improving the sanctity of life and providing legal protection to those discriminated against based on the diagnosis of Down syndrome. As a committee and legislature, we have the opportunity to send a powerful and clear message to the Down syndrome community: We support you, we value you, and we seek to protect you. Thank you for the opportunity to testify on this legislation, and I ask for your support. I welcome any questions the committee may have.