**Iris E. Harvey**

**Opponent Testimony for Senate Bill 28**

**Senate Government Reform and Oversight Committee**

**January 10, 2018**

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni, and members of the Senate Government Oversight and Reform Committee, thank you for the opportunity to present testimony on Senate Bill 28.

Purely and simply, this bill imposes an unconstitutional, medically unnecessary burden on people seeking abortions. It does nothing to improve patient health or ensure that those seeking abortions are able to receive care in a private, confidential manner. It is clearly intended to make abortion access more difficult and to shame and stigmatize individuals seeking an abortion.

Senate Bill 28 would require that a woman who has had an abortion have the embryonic or fetal tissue buried or cremated, imposing a medically unnecessary funeral ritual on women and their families. Politicians should not be forcing such stigmatizing requirements on patients and their health care providers. Abortion providers, like Planned Parenthood, work with women on a case-by-case basis to answer any questions they may have about the disposal of embryonic or fetal tissue. This bill, however, would force ALL patients seeking a surgical abortion to be told that all tissue will be disposed of by either burial or cremation before they are allowed to have an abortion.

**This mandate intends to harass and shut down abortion providers.** This is just another abortion restriction being pushed by the anti-abortion lobby, ultimately intended to eliminate access to abortion in Ohio. In some communities, funeral homes or cremation facilities may simply refuse to work with health care providers who provide abortion and nothing in this bill would require them to do so. Without these contracts, abortion providers could be forced to close, restricting or even eliminating access in the state.

**This bill seriously threatens women’s privacy and confidentiality.** The state would have to issue death certificates for every abortion, regardless of the woman’s wishes or how early in the pregnancy the abortion occurs. Additionally, burial and cremation permits that are typically required for human deaths would also be required. Since such documents can be made public, a woman who has decided to have an abortion would have her private medical information exposed.

**These restrictions are unconstitutional.** The two courts that have considered these restrictions have blocked them from being enforced. Under the *Whole Woman’s Health* decision (2016), the U.S. Supreme Court has made clear that the state cannot impose burdens on women seeking to exercise their constitutional right to abortion when those burdens have no medical benefit.

We need to respect every individual’s ability to make the deeply personal decision to have an abortion in accordance with their family, faith, and doctor. Instead of focusing on intrusive laws that threaten access to health care and shame people for their personal decisions, we should focus our attention on promoting laws that build stronger communities and support the women, men, and families of Ohio.