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Opponent Testimony for Senate Bill 27
House Civil Justice Committee

Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, thank you for the opportunity to present opponent testimony on Senate Bill 27.

Purely and simply, this Bill imposes an unconstitutional, medically unnecessary burden on people seeking an abortion. 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 27 would require that a patient who has had an abortion have the embryonic or fetal tissue buried or cremated and then buried, imposing a medically unnecessary funeral ritual on patient. Politicians should not be forcing such stigmatizing requirements on patients and their health care providers. Abortion providers, like Planned Parenthood, work with patients on a case-by-case basis to answer any questions they may have about the disposal of embryonic or fetal tissue.

Our legislators are elected to protect Ohioans. During a pandemic when health care workers are struggling with keeping their community members alive, when Ohioans are losing loved ones, and when we are facing an economic crisis, Ohio legislators are meeting to take away health care for these same Ohioans. They could be addressing the maternal death rate—which Ohio has one of the highest rates in the country and a rate that disproportionately affects Black people, by addressing racism in health care and social determinants of health.

This mandate intends to harass and shut down abortion providers. This is just another abortion restriction that is 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, to restrict, or even eliminating access in the state.

This Bill seriously threatens the patient's privacy and confidentiality. The state would have to issue death certificates for every abortion, regardless of the patient'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 patient who has decided to have an abortion would have their 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 patients 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 people of Ohio. It is for these reasons and many more that I encourage a No vote on SB 27.

Thank you for your time.