



AMERICAN CIVIL LIBERTIES UNION

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TO: House Health Committee
FROM: Gary Daniels, Chief Lobbyist, ACLU of Ohio
DATE: December 15, 2020
RE: Senate Bill 260 – Opponent Testimony

To Chairman Lipps, Vice Chair Holmes, Ranking Member Boyd, and members of the House Health Committee, thank you for this opportunity to provide the following testimony opposing Senate Bill 260.

As you know, SB 260 criminalizes prescribing drugs via telemedicine that induce abortion. Prison time, felony records, and medical license suspensions are all penalties for physicians not on sight when their patients' ingest a single drug, and only a single drug, mifepristone.

Ohio and numerous other states permit the use of telemedicine. When properly utilized, this provides many benefits. Physicians routinely prescribe drugs and controlled substances of all types using this method. It is to Ohio's credit we joined this growing trend in medical care.

While proponents choose to frame SB 260 as protecting patient safety, data and research once again work to their disadvantage.

The Food & Drug Administration states, "serious complications have proven to be extremely rare" from the use of mifepristone while the New England Journal of Medicine points out, "the risk of death is four times higher for Viagra than for mifepristone, and common anticoagulant drugs carry a much higher risk of serious bleeding." These are but two examples of many regarding the safety of mifepristone.

Yet, we suspect a bill to lock people in cages when they are not present for a dose of Viagra is not on the way. Nor should it be because, like SB 260, such Big Government intervention is not needed or sensible.

Because bills and laws like these unconstitutionally restrict reproductive rights, lawsuits have been filed across the United States. This includes the ACLU of Ohio's lawsuit against Ohio's ban (SB 23) on essentially all abortions from earlier this session. Litigation is ongoing in Ohio. But, waiting to see the results of these lawsuits is apparently not under consideration.

Senate Bill 260 combines two of the General Assembly's unfortunately favorite priorities – restricting abortion and incarcerating Ohioans. Either concern is enough reason to oppose SB 260. Its ongoing consideration also delays important work to improve the lives of your constituents. For all these reasons and more, we urge your rejection of SB 260.