



**Opponent Testimony HB 598**  
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Chairman Wilkin, Vice Chair White, Ranking Member Brown, and members of the Ohio House Government Oversight Committee, thank you for the opportunity to provide testimony today in opposition of House Bill 598. My name is Gerard Isenberg, MD, and I am President of the Academy of Medicine of Cleveland and Northern Ohio (AMCNO). I am also a practicing gastroenterology physician at a major health system in Cleveland.

The Academy of Medicine of Cleveland & Northern Ohio (AMCNO), founded in 1824, is the region's professional medical association, and the oldest professional association in Ohio. We are a non-profit 501(c)6 representing physicians and medical students from all the contiguous counties in Northern Ohio. We are proud to be the stewards of Cleveland's medical community of the past, present and future.

The mission of the Academy of Medicine of Cleveland & Northern Ohio is to support physicians in being strong advocates for all patients and promote the practice of the highest quality of medicine. On behalf of our 6,000 members and their patients, we ask you to oppose HB 598.

In 2017, at a time when maternal mortality was declining worldwide, the World Health Organization (WHO) reported that the U.S. was one of only two countries to report a significant increase in its maternal mortality ratio (the proportion of pregnancies that result in death of the mother) since 2000. And unfortunately, the statistics have become even more grim in the years since.

According to the Centers for Disease Control, the maternal mortality rate for 2019 (20.1 deaths per 100,000 live births) was significantly higher than the rate for 2018 (17.4). The statistics are even more concerning for women of color. In 2019, the maternal mortality rate for non-Hispanic black women was 44.0 deaths per 100,000 live births, 2.5 times the rate for non-Hispanic white women (17.9) and 3.5 times the rate for Hispanic women (12.6).

And according to the Commonwealth Fund, even when looking only at the maternal deaths of white women, the United States still has the highest maternal mortality rate amongst the world's wealthiest nations.

The alarm bell has been sounded in the medical community, and hospitals and birthing centers are working together to identify and change protocols, offer prenatal education, and removing barriers to care. The AMCNO recently worked to help fund some of this important work in Akron, in partnership with the Greenleaf Family Center.

Although I'm proud of the work we are doing in this space, we recognize just how much work there is to be done. And it is a cruel reality that in a time of staggering statistics on maternal mortality, the government is moving to further put the lives of pregnant women at risk.

HB 598 would create a new crime in Ohio: criminal abortion manslaughter, punishable as a fourth-degree felony, and up to 25 years in prison, with a fine of up to \$10,000, and loss of medical license, for inducing an abortion through drugs or instruments. HB 598 also creates a wrongful death cause of action for an individual on whom an abortion was performed in violation of crimes of abortion manslaughter, criminal abortion, or promoting abortion. This bill would set a dangerous precedent—criminalizing medicine and codifying it in law.

Also of major concern in the medical community is the implications this bill could have on infertility treatments as well as ectopic (tubal) pregnancies, hemorrhaging and other medical conditions suffered by pregnant women. In many of these cases, abortions are necessary to save the mother's life and often need to be performed immediately. There isn't time to transfer the mother to a facility who meets the number of onerous requirements dictated by this bill. Make no mistake, if physicians and hospitals are forced to follow these protocols, women will die in transit.

Physicians take an oath to first, do no harm. It is the pillar that holds up the medical community and the promise that protects the sacred physician-patient relationship. It is not the role of government to intervene in this relationship. Health care decisions must be made between physicians and their patients without the fear of government intrusion.

This proposed law both dictates the practice of medicine and criminalizes actions a physician may take in providing, in their professional judgement, optimal or even basic medical care for their patients. It is not the role of the legislature to practice medicine or impede the physician-patient relationship.

This bill, and those like it being proposed in other states create the most egregious assault on physicians and the physician-patient relationship in our lifetimes.

We must and will do all we can to protect physicians, the physician-patient relationship, and the health of our pregnant patients. And, above all, we must honor medicine's most essential oath and creed: first, do no harm.

It is for all these reasons that we stand in opposition of HB 598. Thank you for the opportunity to testify on this important issue.