

**Testimony of B. Jessie Hill
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to the House Health Committee
Opposing House Bill 149
May 10, 2017**

Chairman Huffman, Ranking Member Antonio, and members of the House Health committee, my name is Jessie Hill. I am the Associate Dean for Academic Affairs and Judge Ben C. Green Professor of Law at Case Western Reserve University School of Law. I am here to testify in opposition to HB 149. I am speaking on my own behalf and not on behalf of Case Western Reserve University.

I am testifying in opposition to this legislation because it is both unnecessary and harmful. This bill is, essentially, a solution in search of a problem. There is no reason to believe that the sale of fetal parts—a practice that is criminal under both existing Ohio law and under federal law—occurs or has ever occurred in Ohio. Indeed, Attorney General Mike DeWine conducted a thorough investigation of Planned Parenthood and publicly announced at a press conference held in December of 2015 that there was no evidence that Planned Parenthood had engaged in any such conduct. The allegations of such conduct put forth by the Center for Medical Progress, which ultimately proved false, did not touch on any Ohio provider. And the groups who promulgated those false claims of illegal activity are themselves being criminally prosecuted in connection with those false claims.

Existing Ohio law also already prohibits research on fetal tissue from abortions, and there is no reason whatsoever to believe that such research is occurring in Ohio. I am also unaware of any instance in which an abortion provider in Ohio has transferred fetal tissue for research outside the state. Of course, fetal organ and tissue donation for research is permitted in many other states and is heavily regulated on the federal level. It therefore appears that no legitimate state interest is served by this proposed legislation.

This proposed legislation is also harmful. Though it has no apparent benefits and there is no need for it in Ohio, this bill does stigmatize abortion providers and women seeking abortions by using pejorative, non-medical terminology and by implying the existence of a practice that simply does not occur within the State of Ohio. It is tantamount to continuing the misinformation campaign begun by the Center for Medical Progress. This law also stigmatizes abortion and women who seek abortion by singling out tissue resulting from abortions and leaving tissue from miscarriages unregulated.

It is important to recognize, moreover, that women who undergo abortion or miscarriage may sometimes wish to donate the fetal tissue out of a desire to help others. Fetal tissue research has proven highly beneficial. It is legal in many others states and occurs at institutions such as Harvard, Yale, the University of Michigan, and Johns Hopkins, among others. The vaccines for polio and rubella were derived from fetal tissue research.

For all of these reasons, I oppose this legislation.

Thank you for your time. I'm happy to answer any questions you might have.