

**Testimony of Linda Schlein and Stephanie Quaranta
Co-Chairs of the Reproductive Rights and Health Committee of
the National Council of Jewish Women/Cleveland (NCJW)
Opposing Senate Bill 260
Ohio House Health Committee
Tuesday, December 15, 2020**

Chairman Lipps, Vice Chair Holmes, Ranking Member Boyd and members of the House Health Committee:

We are Linda Schlein and Stephanie Quaranta, co-chairs of the Reproductive Rights and Health Committee of the National Council of Jewish Women/Cleveland (NCJW/CLE). We are an organization of 2000 members and supporters in Ohio, dedicated to social justice by improving the quality of life for women, children and families. One of our focuses at NCJW/CLE is reproductive rights and health. From our work at NCJW/CLE, we know that reproductive choice is an essential component of a healthy community.

For these reasons and more, we are strongly opposed to Senate Bill 260, which would prohibit the dispensing of any “abortion inducing medication” if a doctor is not physically present in the same room as the patient when the medication is dispensed. We urge our legislators not to pass this bill that would (a) prohibit doctors from providing abortion care during a pandemic and (b) force the state to spend taxpayer dollars defending a bill where similar restrictions have been struck down by other courts.

Telemedicine has been lauded as a promising delivery method for many different types of healthcare, and its use has become acutely necessary during the COVID-19 pandemic. Healthcare provided to women—and in particular abortion care—is no different. The testimony submitted by the American College of Obstetricians and Gynecologists, Ohio Section (ACOG Ohio) in opposition to Senate Bill 260 confirms that the legislature’s singling out of telemedicine for medical abortions is egregious because the legislature is doing so “based on ideology, not evidence-based medicine and the consensus of the general medical community.” For the legislature to prohibit the use of telemedicine in providing essential healthcare, especially during a pandemic, when there is no medical evidence supporting the need for such restriction, is dangerous and irresponsible.

Additionally, this bill will be challenged in court—and almost certainly struck down—on the ground that it places an undue burden on access to abortion care. Earlier this year, in the case of [American College of Obstetricians and Gynecologists v. FDA](#), a federal court in Maryland held that certain FDA restrictions on medication abortion care, which required that the drug at issue be dispensed in person in a clinical setting and that the patient agreement had to be signed in person, imposed an unconstitutional burden and could not be enforced during the pandemic. The restrictions imposed by Senate Bill 260 are directly analogous to the restrictions in the Maryland case that were struck down. It would be fiscally irresponsible for the Ohio legislature to knowingly and

affirmatively invite a long, expensive, and ill advised path of litigation, especially now, when the resources and attention of the legislature could be focused on so many other important healthcare concerns.

NCJW/CLE is also concerned about this bill from a faith standpoint. Jewish sources state that abortion is not only permitted but required should the pregnancy endanger the life or health (including psychological health) of the mother. We understand and respect that every religion has its own belief systems around abortion and Jewish historical experience calls on us to celebrate religious liberty, which honors individuals' rights to both freedom **of** and freedom **from** religion. However, we depend on religious liberty to be a protective shield, not a weapon used to harm others and we believe that the restrictions in Senate Bill 260 harm those individuals seeking essential healthcare in conflict with these Jewish values.

For these reasons, NCJW/CLE strongly opposes Senate Bill 260 and we urge you to consider the adverse medical and fiscal implications to its passage.

Thank you for taking the time to read this testimony.

Linda Schlein and Stephanie Quaranta

National Council of Jewish Women/Cleveland inspired by Jewish values to advance social and economic justice for all women, children and families.

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