

**Lauren Blauvelt-Copelin**  
**Senate Bill 155 – Medical Misinformation Act**  
**Opponent Testimony**  
**Ohio Senate Health, Human Services, and Medicaid Committee**  
**October 22, 2019**

Chairman Burke, Vice Chair Huffman, Ranking Member Antonio, and members of the Ohio Senate Health, Human Services, and Medicaid Committee, thank you for allowing me the opportunity to present testimony in opposition to Senate Bill 155. My name is Lauren Blauvelt-Copelin, and I am the Vice President of Government Affairs and Public Advocacy for Planned Parenthood Advocates of Ohio.

In Ohio, Planned Parenthood health centers proudly provide abortion as part of the full range of reproductive health care. They also provide life-saving health care like breast and cervical cancer screenings, STI treatment and testing, HIV testing to over 85,000 patients annually, and medically accurate sexual health education programs to nearly 40,000 clients each year. Every day, people come through the doors of Planned Parenthood health centers for those safe, reliable, confidential, and judgment-free services. The advocacy work we do at Planned Parenthood Advocates of Ohio is dedicated to protecting the essential health and education services that Planned Parenthood of Greater Ohio and Planned Parenthood Southwest Ohio Region provides to communities, and we are joined in support by more than 245,000 supporters committed to protecting reproductive health care and rights across the state of Ohio.

Senate Bill 155 (SB 155) would force doctors to provide patients with information that is medically inaccurate and could be harmful to the patient's health. There is no scientific or medical evidence that proves that "reversing" a medication abortion is possible: no clinical trials, no objective nor credible data. There have not been any clinical trials where this has been tested for safety, effectiveness, or the likelihood of side effects. It is equally unclear how increased exposure to high doses of progesterone, which is used as part of this protocol, may affect a developing fetus.

SB 155 is all about politics, with no regard for health care or medical ethics. This bill would force doctors to tell their patients information that medical experts consider to be dangerous, both for a patient's health and for securing informed consent. This legislative body has been working to end access to safe and legal abortion in Ohio for years, and this measure is a further intrusion of politicians into Ohioans' personal lives. People do not turn to politicians for advice about their health care, and politicians should not involve themselves into personal, medical decisions about pregnancy.

Medication abortion involves taking two prescription drugs, mifepristone and misoprostol. Under current practice, a patient takes the mifepristone and approximately 24 to 48 hours later, the patient takes the second medication, misoprostol. The

politicians behind this bill argue that medication abortion can be “reversed” after a person takes the mifepristone but before they take the misoprostol by supplementing their body’s already-high progesterone levels. These claims, however, are based on scientifically unsupported claims about the effects of progesterone, and rely on studies that use inappropriate comparison groups, are too small in scale to support scientific conclusions, and rely on unverified, inappropriate, inaccurate, and results-oriented data collection.

Furthermore, SB 155 undermines the informed consent process and risks misleading patients to believe they do not need to be certain about their decision before obtaining an abortion. It is a core principal of medical ethics that all health care providers obtain informed consent before treating a patient. The goal of the informed consent process is for patients to have all of the information necessary so that they can make the right decision for themselves. This measure undermines the informed consent process by telling a pregnant person that they can change their mind in the middle of the abortion process despite the fact that this has not been scientifically proven. A patient should not be led to believe that they could change their mind after taking the first pill, as it creates a risk that a patient may be beginning an abortion before they are ready to commit to their decision.

This bill not only threatens the provider-patient relationship by forcing physicians to tell their patients information that is inaccurate and potentially dangerous for their health, it then threatens providers with criminal and civil penalties if they do not share this information. A physician who fails to tell a person that it may be possible to reverse a medication abortion could be charged with a felony for up to 18 months in prison for each violation -- even if they do not believe that the medical evidence supports sharing such a statement with their patient and even if it is their medical opinion that sharing that information would harm the informed consent process.

This bill also allows a patient who provided their full informed consent to a medication abortion, and whose pregnancy is terminated as a result, to claim that a physician did not inform them that the procedure might be able to be reversed and then sue the physician for wrongful death. This is a bizarre proposition, essentially allowing a person to sue for having an abortion that they consented to. On top of this, it treats embryos as people under the Ohio Code, considering them the same as people in any other wrongful death lawsuit. This is a dangerous provision to enshrine into our legal code.

Laws similar to SB 155 have been blocked by the courts. Arizona, the first state to enact this requirement, was forced to agree to a court order in October 2015 that blocked the law from taking effect after the State was unable to put together evidence supporting the law. While the law was blocked before the lawsuit could even conclude, Arizona repealed the law unanimously in May 2016. And just earlier this year, the American Medical Association and a local clinic challenged a similar North Dakota law; a federal court has blocked the law from taking effect, stating that “a law which mandates that physicians become mouthpieces for a false, misleading, and controversial ‘abortion reversal’ message would not survive any level of constitutional scrutiny.” Ohio is already defending too many unconstitutional abortion laws in court and wasting tax dollars in

doing so. We should not add this to the growing list of laws that unwitting Ohioans will have to spend time and resources unsuccessfully defending.

It is time to stop criminalizing reproductive health care and stop inserting politicians into the physician-patient relationship. Instead, let us bring our collective time, resources, and expertise to combat Ohio's infant and maternal health crisis. Let us invest in greater health care access and more comprehensive education so that all Ohioans, no matter their race, gender, or zip code can make engaged decisions about their personal health care and family planning.

I urge you to vote no on Senate Bill 155, the dangerous and medically inaccurate Medical Misinformation Act. Thank you for hearing my testimony and I welcome any questions you have for me.