

Panel advances bill to require ultrasounds before abortions

February 11 2016, by Bruce Schreiner

Abortion opponents increasingly on the offensive in Kentucky's statehouse advanced legislation Thursday that would require doctors to perform ultrasounds prior to abortions and to describe what is seen to the pregnant women.

It's part of a series of measures being pushed in Kentucky by abortion foes to impose conditions before abortions, ban the sale of fetal body parts and put Planned Parenthood clinics at the end of the line for family planning funds.

The ultrasound bill easily cleared the Senate Veterans, Military Affairs and Public Protection Committee on Thursday. Similar measures passed the Republican-controlled Senate in past years but were blocked in the Democratic-led House.

House Republicans signaled Thursday they would consider using parliamentary maneuvers if necessary to try to force a House vote on the ultrasound bill.

"That is a very important issue to our caucus, and we believe it's a very important issue to most all Kentuckians," House Minority Floor Leader Jeff Hoover said.

House Republicans used parliamentary motions recently to accelerate House action on long-sought informed-consent legislation. The final version signed into law by the state's new Republican governor, Matt

Bevin, offers the option of doctors and women having face-to-face meetings in person or by video at least 24 hours before an abortion.

The measure was a response to claims by abortion opponents that some abortion doctors have circumvented long-established informed-consent requirements by having patients listen to a recorded message on the phone with no interaction.

Rep. Mary Lou Marzian, D-Louisville, said she's bracing for more Republican attempts to force House votes on abortion bills in the final weeks of this year's legislative session.

"Republicans saying that they want a less-intrusive government don't mind getting between a woman's decision and her doctor," she said.

More aggressive efforts by Republicans to push abortion legislation come at a time when Democrats are fighting to maintain their historic control of the House.

Democrats are clinging to a 50-46 House majority, with four special elections looming in March that could determine who controls the chamber. The Kentucky House is the only legislative chamber in the South still controlled by Democrats.

Twenty-five states, mostly in the South and the Midwest, have laws dealing with the administration of ultrasounds by abortion providers, according to the Guttmacher Institute, a research organization that supports access to abortions.

Thirteen states require an ultrasound, and nearly all of those states also require the doctor to either show or offer to show the woman the image, it said.

In Kentucky, the ultrasound bill would require doctors to display the ultrasound images so that the pregnant woman may view them. The pregnant woman could choose to avert her eyes from the images, without risk of penalty to her or the doctor.

The doctor would be required to provide a medical description of the images, including the dimensions of the embryo or fetus and the presence of internal organs, if seen.

Doctors violating terms of the bill would be fined up to \$100,000 for a first offense and up to \$250,000 for subsequent violations.

Dr. Sarah Wallett, a Lexington obstetrician/gynecologist, told the Senate panel Thursday that the bill would intrude on the doctor-patient relationship.

"This bill substitutes a government mandate for a doctor's judgment about the medical appropriateness of a procedure," she said.

"It is not my job as a physician to talk her out of it," she added. "It is my job to provide her medically accurate, appropriate and evidence-based information about her decision, and to respect her decisions and her personal values."

Derek Selznick, with the American Civil Liberties Union of Kentucky, said the bill "is about politicians trying to bully, shame and humiliate women" seeking abortions.

The bill's lead sponsor, Republican Sen. Whitney Westerfield, replied: "This is about giving that mother all the opportunity she can have to make the decision. This isn't about shame; this isn't about guilt."

Some ultrasound laws in other states have drawn successful challenges,

Selznick said.

He pointed to a federal appeals court that ruled that a North Carolina law requiring abortion providers to show and describe an ultrasound to the pregnant woman is "ideological in intent" and violates doctors' free-speech rights. The U.S. Supreme Court rejected an appeal from North Carolina in the case.

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