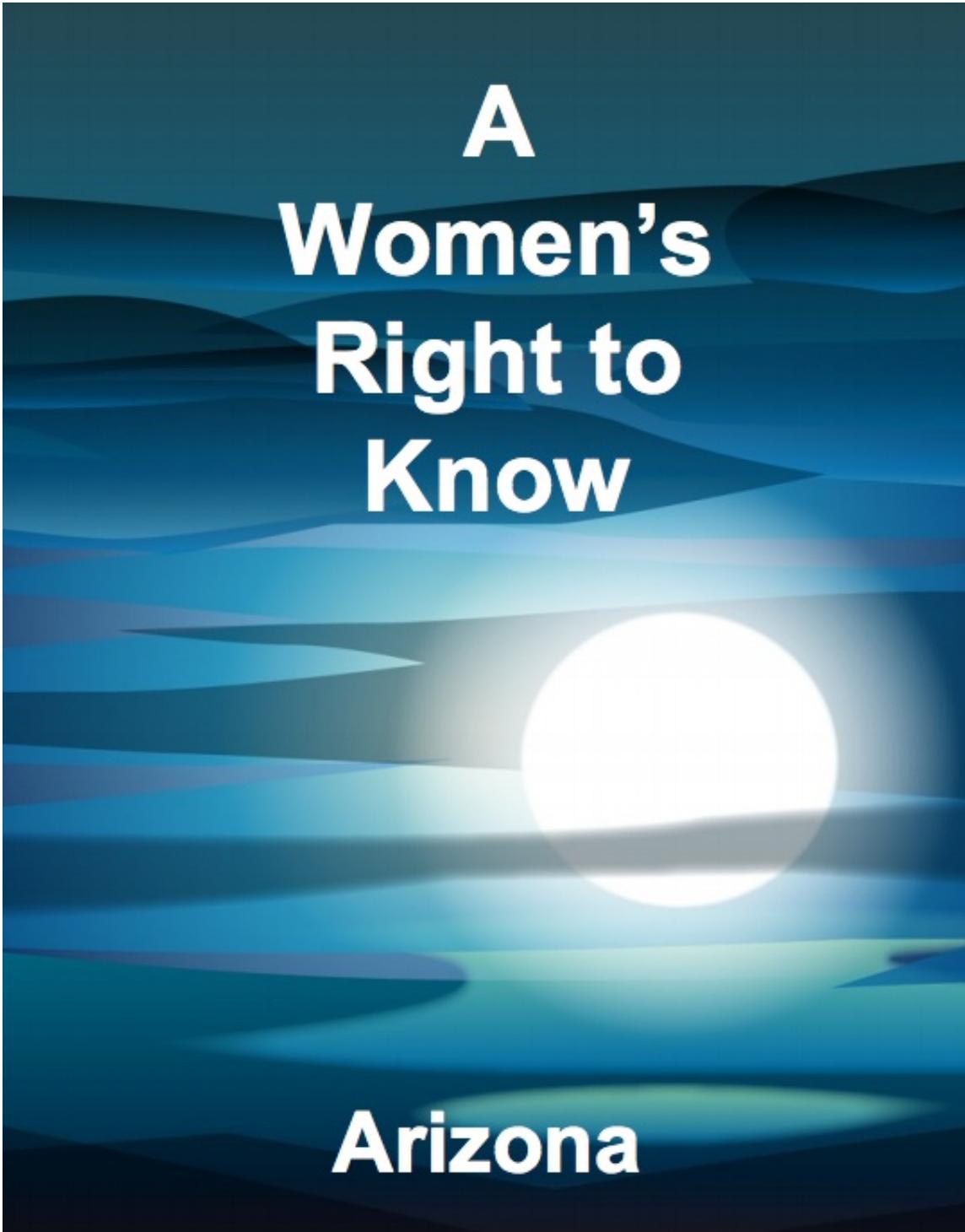


Women considering abortions in many U.S. states get medically inaccurate information

February 29 2016, by Steve Manas



Arizona's informed consent booklet includes 28 medically inaccurate statements, according to the Rutgers study.

Women considering abortions are getting medically inaccurate information nearly a third of the time in states that require doctors to provide informed consent materials to their patients, according to a Rutgers study.

The study, "Informed or Misinformed Consent? Abortion Policy in the United States," analyzed statements about embryological and fetal development from information booklets produced by 23 states that require [informed consent](#). The study found 31 percent of the information to be medically inaccurate, and that the highest percentages of inaccuracies are found in the first trimester of pregnancy, when 90 percent of women have abortions.

"Given that most abortions are performed in the first trimester, these levels of inaccuracies are deeply concerning," said political science professor Cynthia Daniels, the lead author and head of The Informed Consent Project at Rutgers University-New Brunswick. "Patients should be confident their doctor is providing them with accurate information. Misinformation is a threat to the integrity of the doctor-patient relationship and to the medical system as a whole, especially in decisions about pregnancy."

Since 2010, the United States has witnessed a dramatic expansion of state-based restrictions on [abortion](#). The most common of these are informed consent statutes, which require that a woman seeking an abortion receive a state-authored informational packet before the abortion procedure can be performed.

Seven investigators, recruited by the team through the American Academy of Anatomists, found that more than 40 percent of information in booklets produced by Michigan, Kansas and North Carolina was medically inaccurate. Alabama, Alaska and Georgia had the lowest percentages of inaccuracies, each with less than 18 percent.

The experts, who were told only that the women received the information in a "reproductive health setting" without relating it to abortion, found that the inaccuracies are concentrated around certain physical features, such as extremities and internal organs, and fetal viability in a manner that overstated [fetal development](#), Daniels said. The anatomists also found that during early pregnancy, body systems that attribute human "intentionality" or more "baby-like" characteristics to the embryo or fetus, such as breathing, crying or experiencing pain, are more likely to be misrepresented.

The Rutgers study team defined medical accuracy as information that was both "truthful and nonmisleading," constitutional standards set by the U.S. Supreme Court in *Planned Parenthood of Southeastern Pennsylvania et al. v. Robert P. Casey et al.* in 1992. "Our findings suggest these laws may produce 'misinformed consent' and may require the court to rethink the constitutionality of abortion-related informed consent laws as a whole," Daniels concluded.

The Supreme Court is scheduled to hear oral arguments on March 2 in the case *Whole Woman's Health v. Hellerstedt*. At issue is whether a court errs by refusing to consider whether and to what extent laws that restrict abortion for the stated purpose of promoting health actually serve the government's interest in promoting health. The court also will be asked to decide whether the Fifth Circuit erred in concluding that this standard permits Texas to enforce, in nearly all circumstances, laws that would cause a significant reduction in the availability of abortion services while failing to advance the state's interest in promoting health – or other valid interest.

Daniels, who teaches several courses on reproductive politics, including abortion law, said students often asked about the content of information provided to women in informed consent states. The project started when Daniels and her team of graduate students, plus several undergraduate

research assistants, began collecting informed consent information in 2013.

Besides its availability on the Informed Consent Project website, the study can be read in the online *Journal of Health Politics, Policy and Law* published by Duke University Press.

More information: Cynthia R. Daniels et al. Informed or Misinformed Consent? Abortion Policy in the United States, *Journal of Health Politics, Policy and Law* (2016). [DOI: 10.1215/03616878-3476105](https://doi.org/10.1215/03616878-3476105)

Provided by Rutgers University

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