

Physicians for Reproductive Health
Testimony for the Record
A Post Roe America: The Legal Consequences of the Dobbs Decision
Senate Committee on the Judiciary
July 12, 2022

Physicians for Reproductive Health (PRH) is a physician-led national organization that mobilizes and organizes medical providers to advance sexual and reproductive health, rights, and justice. Our network includes physicians of all specialties from across the country committed to ensuring access to equitable, comprehensive health care, that will always include abortion care. We believe this work is necessary to ensure all people are able to live freely with dignity, safety, and security. We work towards collective liberation and believe that health care is a fundamental human right.

We write to express our gratitude for this hearing on the impact of the Supreme Court's decision in *Jackson Women's Health Organization v. Dobbs*, which gutted the constitutional right to abortion by overturning *Roe v. Wade* and *Planned Parenthood v. Casey*. This decision has made what was already a dire moment for abortion access in our country far worse. There is no doubt this decision will impact all of us. We write to make clear this harm and to highlight for the Committee the importance of doing everything possible to protect access to abortion care in this moment and for generations to come.

Whether our patients are ready to build or create their family, already parenting, or have decided not to continue a pregnancy, all of them share one thing in common – they are making thoughtful decisions about their health and well-being. Each person we care for deserves access to high quality health care that includes abortion care, regardless of who they are, their income levels, or where they live. They do not deserve the uneven and inequitable patchwork of protections the Supreme Court has imposed. They do not deserve the harm and threats to their health that will result as states continue to pass extreme abortion bans on top of the litany of medically unnecessary restrictions already in place.

We know that many people are already being negatively impacted. People who live in states hostile to abortion are facing limited options. Some, who are able to gather the support and resources necessary, are forced to travel hundreds and hundreds of miles to a state where they can access the care they need. Providers in other states that are able to continue providing care are doing the best they can to accommodate the influx of people travelling, but the wait times are long and the ripple effects are devastating. And the truth is, many people – people without resources, people unable to take time from work, unable to get child care, unable to get past immigration check-points – will be unable to get the care they need and deserve. And for those that choose to self-manage their abortions, they face heightened legal risk.

Equitable access to abortion care is essential for the health, well-being, security, and dignity of all people. As providers, we see firsthand the harm restrictions on abortion care have on the people we care for. We know that denial of abortion care can have serious long-lasting consequences on a person's health and well-being. For example, women who have been denied an abortion are more likely to experience high blood pressure and other serious medical conditions

during the end of pregnancy, more likely to remain in relationships where interpersonal violence is present; and more like to experience poverty.

The American College of Obstetricians and Gynecologists (ACOG), along with other medical societies identifies abortion as an essential health care service that require timely access to care. ACOG also recommends the repeal of legislation that imposes barriers on access and interferes with the patient-provider relationship, including abortion bans, mandatory waiting periods, biased counseling requirements, unnecessary ultrasounds, and unjustified facility and staffing requirements.

Abortion is health care and it should not be singled out for exclusion or have additional burdens placed upon it. Abortion is extremely safe and arbitrary barriers on abortion care do not make it any safer. In 2018, the National Academies of Science, Engineering, and Medicine (NASEM) published a comprehensive study affirming the safety record of abortion and pointed out that the biggest threat to patient safety is the litany of medically unnecessary regulations that raise costs and delay procedures, ultimately putting patients' health at risk.

Restrictions on abortion care have far reaching consequences. Abortion restrictions both deepen existing inequities and threaten health outcomes for pregnant people and people giving birth. We know that while most people will have healthy pregnancies, some will experience illness or conditions where pregnancy can cause serious problems. When abortion is difficult or impossible to access, complicated health conditions can worsen and even result in death. In order to address our nations' ongoing maternal health crises, a named priority for Members of this Committee, abortion care must be accessible. The communities that are facing the most barriers to accessing abortion care are the same communities that are unable to access high quality, community grounded, culturally responsive prenatal, maternity, and postpartum care.

The Supreme Court's decision and its far-reaching consequences are unacceptable. Providers are being put in untenable positions: risk criminalization, wait for our patients' health to worsen so we can provide necessary abortion care, or ask our patients to travel out of state hours away from home to obtain needed care. This is not how medicine should work or be practiced. In any place. We must be able to take care of our patients without fear.

The United States has long had a two-tiered system for reproductive health care and it is only going to get worse. This was undeniable before the Supreme Court's decision when six Justices snatched away the fundamental right to abortion care. Our nation continues to grapple with multiple, ongoing public health emergencies that have disproportionately harmed communities of color and we continue to reckon with the legacy of systemic racial injustice and its role in contributing to health inequities. It is critical we place this moment, the taking away of the fundamental right to abortion, and the imminent threat to reproductive and sexual health care within this larger context. The removal of the fragile protections of *Roe* is absolutely devastating for Black people, Indigenous people, communities of color, immigrants, young people, people with low incomes, and LGBTQ+ people.

It doesn't have to be this way. All people should be able to get care in their own communities, in a manner that is best for them, with the people they trust. Whether they are accessing abortion

care via in clinic care, through telehealth services, or self-managing their abortion on their own terms. All people deserve dignity, personal autonomy, and security. They deserve liberation. Should you have any questions please reach out to MiQuel Davies, Assistant Director of Public Policy at mdavies@prh.org.

Sincerely,

Dr. Jamila Perritt

Dr. Jamila Perritt, MD, MPH, FACOG
President & CEO
Physicians for Reproductive Health