

**TESTIMONY OF MISSOURI RIGHT TO LIFE
BEFORE THE HOUSE
CHILDREN AND FAMILIES COMMITTEE**

February 23, 2016

TESTIMONY OF MISSOURI RIGHT TO LIFE
IN SUPPORT OF HB 2371

RE: Illegal Selling and Buying of Baby Body Parts

Thank the House Children and Families Committee and the House Ways and Means Committee for the hearings that have been held in the Interim and the on-going investigations of Planned Parenthood's fetal tissue procurement practices. Current practices employed by Planned Parenthood and other tissue procurement companies, aside from being ethically and morally repugnant, appear to be illegal.

The content of the videos produced by the Center for Medical Progress is disturbing, to say the least, and they certainly suggest violations of the law on the part of Planned Parenthood and their baby body-part buyers. The fact that Planned Parenthood in these videos admitted to the following atrocious acts suggests illegal activity.

1. They are engaged in negotiating market value pricing for the baby body parts or the whole intact body where the law allows only the recovery of costs. Costs are set so the only purpose of negotiated pricing would be to increase profit on the sale which is illegal under federal statute and Section 188.036(5) RSMo.
2. Abortion procedures are altered from the norm in order to procure the requested organs intact which results in greater risk to the woman having the abortion and this is often done without the knowledge or consent of the woman in violation of Missouri's informed consent statute Section 188.027 RSMo.
3. Planned Parenthood's efforts to meet the research industries desire for intact whole baby bodies suggests that Planned Parenthood is engaged in performing illegal partial-birth abortions and is possibly engaged in infanticide which is murder in the second degree under Missouri law Section 188.035 RSMo.

With the pressure to obtain suitable fetal tissue for researchers, comes the pressure to deliver an intact and potentially living child. There is ample evidence that researchers support harvesting tissue from live born infants. Recorded comments made by employees of Planned Parenthood and tissue procurement employees raises justifiable concerns that infants are born alive after an induced abortion at Planned Parenthood and then killed to harvest their tissue.

Based on the testimony by the Pathology Lab Director (in the House Committee investigations) that receives some of the body parts of an aborted baby from Planned Parenthood it is still unknown if any of these things are happening in Missouri at this time. The oversight of Planned Parenthood and the abortion industry by the Missouri Department of Health and Senior Services is abysmal as it has failed to conduct consistent and regular physical inspections of the

clinics over the years. Further, former Director of the Department Gail Vasterling, admitted to the Senate Sanctity of Life Committee and most recently the interim Acting Director of the Department of Health and Senior Services, Peter Lyskowski, admitted that the department does not know what is done with the baby bodies or body parts from abortions done by Planned Parenthood in Missouri even though the Department is supposed to receive a pathology report on each aborted baby. There is no accounting of the bodies of babies killed by abortion in Missouri. And, there are questions about the final disposal of the St. Louis Planned Parenthood baby body parts from abortions with the recent fines of a medical waste facility, MedAssure, located in Indianapolis, IN.

When you consider what transpired with the Planned Parenthood clinic in Columbia, Missouri, which we will address in a moment, you have to question the Departments motives, or its competence, as it relates to the oversight of the abortion industry.

Abortion itself is repugnant to our society which is dedicated to “equal justice under the law.” When you add the selling and buying of these baby bodies and body parts for research it is even more unfathomable. We cannot have “equal justice” if some human individuals have the right to their lives and others do not. We cannot have a just society if some humans are violated and used for the benefit of others more powerful than they.

As a humane society, we cannot divorce the killing of innocent human lives for scientific research from moral principles. Many advocates of fetal tissue research argue that the use of human fetal tissue is good for society as a whole and has the potential to help eliminate diseases; therefore, it is justified. However, this goes against an important principle of our society, that a person may not kill one for the benefit of another.

If a woman is conflicted about whether or not to have an abortion, knowledge of the potential utility of the dead baby has the potential to tip the balance. Further, studies have shown that women consider outside needs and desires when considering whether or not to abort their child. This research would add another level of pressure to an already vulnerable woman. The only way to avoid encouragement of abortions is to eliminate research using human fetal tissue from induced abortions. Missouri saw fit to prohibit fetal experimentation by any person in Section 188.037 RSMo.

We fear the use of human fetal tissue for research and the increased pressure to harvest and even create more fetal tissue would be an incentive for more abortions. The research industries appetite for suitable fetal tissue and their willingness to pay top dollar for tissue, organs and whole bodies of unborn babies has created a seller’s market where Planned Parenthood is demanding top dollar from procurement companies for specimens collected from abortion. **The idea that this would never happen in Missouri is preposterous given the testimonies given to the Senate Sanctity of Life Committee, the House Children and Families Committee, the House Ways and Means Committee and the video evidence of Planned Parenthood’s actions. This evidence demands that we pass legislation to ensure that selling and buying baby bodies and body parts from abortions is not done in Missouri.**

RE: Illegal Licensure of Columbia Planned Parenthood

At the time the Senate Sanctity of Life Committee and the House Children and Families Committee and the House Ways and Means Committee began their investigative hearings another atrocity occurred in Missouri to benefit the abortion industry. Through these investigations it was discovered that the state-funded University of Missouri, Columbia offered “refer and follow” status to abortionist Colleen McNicholas. The Missouri Department of Health and Human Services used this “refer and follow” status as a basis for issuing a license to Planned Parenthood in Columbia to perform abortions there. This action violates Missouri law Section 197.215.1(2) RSMo. which requires

that a physician have “ privileges to perform surgical procedures” in the community of the abortion clinic. This has allowed them to begin doing abortions again after 3 years of no license. These actions, along with the documents of employees of the University of Missouri working to obtain hospital privileges for abortionist Colleen McNicholas, show a clear trail of the state’s involvement in the abortion business. With such a disregard of the law meant to ensure the safety of women seeking abortions, one has to question whether the state would ignore abortion laws they perceive to be detrimental to the research industry. And now, the courts, once again, have become active in protecting Planned Parenthood by preventing removal of a license even though Missouri laws are clearly being broken. And, Attorney General Koster refuses to get involved and support the Missouri Department of Health to act on law that is in force to withdraw the Columbia Planned Parenthood license. There are also major differences in the Attorney General’s review of Planned Parenthood giving Planned Parenthood a clean bill of health and the Director of the Department of Health testimony saying they don’t know what happens to all the baby body parts from Missouri Planned Parenthood clinic in St. Louis.

For years, Missouri citizens have overwhelmingly elected pro-life legislators, showing that Missourians want respect for innocent human lives restored. Missourians are appalled that the Courts, the Missouri Department of Health, the University of Missouri, Planned Parenthood and Pathology Services, Inc. are colluding to thwart Missouri laws with no consequences. Missouri Right to Life and pro-life citizens across the State of Missouri call on the Missouri House and Senate to take action. While Governor Nixon refuses to get involved and Attorney General Koster gives Planned Parenthood a clean bill of health on their abortion business, the dignity of innocent babies and the protection of women’s health is in the hands of the Missouri House and Senate. We encourage you to take up and pass legislation to redirect federal funding of family planning dollars to federally qualified health centers and state rural health agencies to ensure women get good quality health care. This ensures that our tax dollars are going to agencies that are not lawbreakers.

Missouri Right to Life supports HB 2371 and asks you to pass this legislation quickly.

HB 2371 expands the previously introduced abortion clinic inspection bill to include the following:

1. Require at least an annual on-site inspection of abortion facilities.
2. Expands language to ensure no donations of aborted babies donated to research.
3. Require an accounting report for disposition of every aborted baby body and body part from every abortion and that this is specifically an open report.
4. Specifically define “clinical privileges” so clear and elementary that even the Department of Health and the University of Missouri (an education facility) can understand the law.
5. Address the licensing of abortion clinics and ensure that all Missouri laws are followed by all.

We would also encourage additional language be added to include the following:

1. Require an annual inspection of any agency contracted with Planned Parenthood for disposition of every baby body and body part and expand the required annual report to include an accounting of all specimens/samplings received from Planned Parenthood – this includes every body part received and the abortion to which it is related.
2. Require annual reports from state funded agencies and universities involved in research that they have not received any aborted baby body or body part, fetal tissue from aborted babies from any source – and that they have not purchased any aborted baby body or body part from any source.
3. Require criminal prosecution for anyone selling or buying baby bodies or baby body parts from abortion and allow the attorney general jurisdiction to prosecute that action.

Thank you for your work investigating Planned Parenthood.
We look forward to working with you on HB 2371 and other pro-life legislation.