

**TESTIMONY OF MISSOURI RIGHT TO LIFE  
BEFORE THE SENATE  
SENIORS, FAMILIES AND CHILDREN COMMITTEE  
IN SUPPORT OF SB 230**

**January 25, 2017**

Missouri Right to Life gladly supports SB 230 and urges this committee to give it a do pass” report to the full Senate. SB 230 builds on the Women’s Right-to-Know law enacted by the General Assembly over the veto of then-Governor Holden in 2003. Since then there have been updates passed in Missouri that expand the concept and truth that a woman has the right to be fully informed about all medical information before making a life changing decision on whether or not to have an abortion that takes the life of her unborn child and puts her at risk.

SB 230 ensures that if an abortion facility or family planning facility operating in the State of Missouri is going to refer a woman to another state for an abortion, then they have to provide information required by Missouri law (188.027) to the woman; and that this specific literature will be furnished by the State Department of Health and Senior Services.

Informed Consent includes the following:

First, it makes specific certain types of disclosures to women about the abortion technique to be used, the risks associated with it, the stage of development of the unborn baby, requirements of the father and the existence and locations of alternatives to abortion agencies. These are the types of information that the U. S. Supreme Court has held are important for a woman to know and proper for a state to require. As the Court said in *Planned Parenthood v. Casey* in 1992:

It cannot be questioned that psychological wellbeing is a facet of health. Nor can it be doubted that most women considering an abortion would deem the impact on the fetus relevant, if not dispositive, to the decision. In attempting to ensure that a woman apprehend the full consequences of her decision, the State furthers the legitimate purpose of reducing the risk that a woman may elect an abortion, only to discover later, with devastating psychological consequences, that her decision was not fully informed. [*Planned Parenthood v. Casey*, 505 U.S. 833, 883 (1992).]

It may be objected here, as it was in the *Casey* decision, that the First Amendment rights of doctors are somehow being infringed by a mandate of what they are to tell patients. The Supreme Court overruled that objection in *Casey* in these words:

[A] requirement that a doctor give a woman certain information as part of obtaining her consent to an abortion is, for constitutional purposes, no different from a requirement that a doctor give certain specific information about any medical procedure. . . . [T]he physician's First Amendment rights not to speak are . . . part of the practice of medicine, subject to reasonable licensing and regulation by the State. [Citation omitted.] We see no constitutional infirmity in the requirement that the physician provide the information mandated by the State here. [505 U.S. 833, 884.]

Therefore, there is no constitutional objection that is valid that can be mounted against the informed consent portions of the bill.

**Missouri Right to Life strongly supports SB 230 and urges committee approval.**

