



To: Judiciary Committee
From: Marion Miner, Associate Director for Pro-Life & Family
Nebraska Catholic Conference
Subject: LB503 (Eliminate Physician Physical Presence for Abortion Requirement) (Oppose)
Date: March 20, 2019

Chairman Lathrop and Members of the Judiciary Committee,

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church and advances the Gospel of Life by engaging, educating, and empowering public officials, Catholic laity, and the general public. I am here today to express the Conference's opposition to LB 503.

LB 503 would eliminate the requirement that a physician be present when an abortion, whether surgical or via the prescription of abortion-inducing drugs, is performed. In practice this would mean the legalization of so-called "telemed abortions." The Conference opposes this change for several reasons.

First, "telemed abortions" present significantly increased health risks to women because it would mean a physician need not ever meet with a woman who is seeking an abortion in person. Since it was approved for use in the U.S. in 2000, mifepristone (brand name "Mifeprex") has been linked by the FDA to 22 deaths, 97 undiagnosed ectopic pregnancies (which can be fatal themselves), and 4,185 total "adverse events" as of December 2017.¹ That a physician should perform needed tests on a pregnant woman that can only be done in person, and that a doctor should be readily available in the event of significant complications, is a common-sense requirement before prescription of a drug whose use may result in serious health complications.

Second, the people of Nebraska have made clear time and again that they do not want to see a liberalization of the state's abortion laws. Nebraska was the very first state to disallow abortion after 20 weeks and enacted the physician-presence requirement in 2011. We have enshrined in statute a recognition that it is "the will of the people of the State of Nebraska" to "provide protection for the life of the unborn child whenever possible."² Countless other examples abound.

Third, the elimination of the physician-presence requirement is likely only the first step in a series of "reforms" that have been pushed in other states in recent years, including pushes to

¹ "Mifepristone U.S. Post-Marketing Adverse Events Summary through 12/31/2017," <https://www.fda.gov/downloads/Drugs/DrugSafety/PostmarketDrugSafetyInformationforPatientsandProviders/UCM603000.pdf>.

² Neb. Rev. Stat. § 28-325.

eliminate the requirement that only physicians perform abortions. These “reforms” are enacted at the behest of an abortion industry that recognizes it can realize greater profits where there are less restrictions, including laws which require the personal presence of a physician.

Fourth, it is difficult to ascertain how the requirements Nebraska has for informed consent, such as establishing the gestational age of the unborn child, can all be satisfied if the physician and the patient never meet in person.³

Finally and most fundamentally, abortion is simply a terrible and tragic evil that should not be expanded. Efforts to help vulnerable women who feel they have no other choice exist, but they need to be promoted and expanded. Many women seek abortion in desperation because they feel they have no other place to turn, and that is a travesty. The toll on mothers and on unborn human life has been devastating: more than 60 million children have been aborted in the United States since 1973. We should be intent on finding solutions to reduce the perceived need, so that women know they do in fact have other places to turn, rather than abandoning them to abortion. The sad status quo is that there are nearly 2,000 abortions per year in Nebraska. We should be looking for way to reduce, not increase, that number.

The Conference urges you to indefinitely postpone LB 503.

³ Neb. Rev. Stat § 28-327.