

Utah bill would make abortions related to Down syndrome diagnosis illegal

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SALT LAKE CITY — Utah lawmakers introduced a bill at the state Capitol Monday morning that would ban abortions of unborn children diagnosed with Down syndrome.

If passed, [HB205](#) would charge physicians with a class A misdemeanor if they abort fetuses that screening shows they may have Down syndrome. Rep. Karianne Lisonbee, R-Clearfield and bill sponsor, said that 67 to 90 percent of unborn babies diagnosed with Down syndrome are aborted in the United States.

In addition to charges against physicians, it would require doctors to refer mothers who find out their unborn child could have Down syndrome to experts. The expectant

mothers need to be provided with options and information, Lisonbee said.

The announcement of the bill quickly raised concerns from pro-abortion advocates. The [ACLU of Utah](#), on its website called for help to counter the bill. “It should be a reminder that despite the jokes and pageantry that surround the legislative session, lawmakers also deal with crucial issues like access to legal abortion and reproductive freedom,” the [ACLU site](#) said.

The ACLU warned about similar bills which have been passed in Ohio and Indiana. The [Legislature’s Office of Research and General Council](#) said that the bill faces a strong likelihood of a legal challenge if passed.

At the news conference, Amber Merkley spoke at the morning press conference at the state Capitol. She received an ultrasound in 2014 that changed her viewpoint.

She was told her baby would likely have a genetic abnormality, but there was no way to predict how disabled the child would actually be.

The family referred to further testing, and a week later Merkley learned she was going to have a son. She also learned there was a 99 percent chance he would be born with Down syndrome. Merkley said she was given a pamphlet on Down syndrome and the option to terminate the pregnancy. She recalled being lost and unsure of what to do. The lack of information was staggering. She went forward with the pregnancy and give birth to Finn.



“What we found is that the real life diagnosis confirmed that ‘yes,’ we would inevitably deal with many of the challenges that we had been told to expect, but what we also found is that we were told we would find more joy and more love than we had ever imagined,” she said. “We found that diagnosis to be much more real and much more powerful than the clinical one we had heard repeated.”

Lisonbee said the European numbers of abortions related to Down syndrome are even higher with 100 percent of the babies who received a positive screening for Down syndrome being aborted in Iceland, 98 percent in Denmark and 95 percent in the UK.

Sen. Curtis Bramble, R-Provo, said he favors the bill and supports the legislation.

“There is nothing more important than protecting those who are the most vulnerable among us,” Bramble said.

Retired physician Kathi Aultman from Florida has preformed many abortions throughout her life, but she said after her pregnancy she slowly made the transition from being very pro-abortion to being pro-life.

As an OB-GYN, Aultman said society constantly told her the worst thing that could happen would be having a Down syndrome baby, but 85 percent of OB doctors don’t do abortions.

“They can’t justify delivering babies one day and than aborting the next,” Aultman said.

Aultman said she believes that the reason this legislature is so important now is because technology has advanced to the point where it can determine abnormalities within the first ten weeks of life.

“It’s still screening, but people aren’t looking at it that way,” Aultman said. The problem is that there are false positives and women are aborting normal babies because they don’t wait long enough to do more intensive testing.

Attorney Bill Duncan from the [Sutherland Institute](#) said medical counselors shouldn’t be encouraging abortion, and the state is interested in protecting lives of those with disabilities.

“The Supreme Court has always said that a woman has a right to terminate an unwanted pregnancy,” Duncan said. “But these children are not unwanted if parents are given a fair chance to understand the nature of the child and this condition that they have and the good life that they are very likely to be able to lead as a result.”

Lisonbee said she was deeply alarmed by the rush to eliminate an entire group of people for no other reason than having a single genetic trait.

“In recent years there has been a shocking increase in abortions performed for no other reason than because a prenatal test identified the potential for a trait a parent didn’t like,” Lisonbee said. “For a society that claims to uphold tolerance and inclusiveness, it appears we still have a long way to go.”