

Lawmaker wants women to prove they watched video of developing fetus before abortion

By Ashley Imlay

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SALT LAKE CITY — A proposed bill in Utah would require women seeking abortion to declare they've watched a video created by the Utah Department of Health that would show ultrasounds of a fetus throughout development and visuals of what happens to a fetus during abortion.

"Abortion, in my opinion, is probably the only significant medical procedure where some groups for whatever reason believe that appropriate informed consent is burdensome," bill sponsor Rep. Steve Christiansen, R-West Jordan, told the Deseret News on Wednesday.

"And quite honestly, we go to great lengths with regard to other medical procedures to make sure that those who are about to participate in the procedure know exactly what's going to happen, what the likely risks and so forth could be. I honestly don't understand why there is pushback on informed consent when it comes to abortion," Christiansen said.

The bill, which became public Tuesday afternoon, quickly drew ire from abortion-rights advocates.

"Utahns are overwhelmingly united in that they do not want more punitive abortion restrictions. Over the past year, we have endured a pandemic, financial insecurity and a loss of faith in government due to political extremism," said Lauren Simpson, policy director with Alliance for a Better Utah.

"Now is not the time to be bringing forward another culture war bill. Lawmakers would do well to address the issues facing Utahns on a day-to-day basis, instead of running legislation meant to divide us," Simpson said.

She pointed to [a poll last year from the Planned Parenthood Association of Utah, Better Utah and the ACLU of Utah](#) that found that as many as 80% of Utahns say the state doesn't need new restrictions on abortions. [HB253](#) comes a year after Christiansen [sponsored a bill that would've required a doctor or clinician to perform an ultrasound before performing an abortion](#), or face a large fine. That bill stalled before the end of the session, and Christiansen promised to bring it back this year.

"To the extent that improved information helps avoid an abortion, a life will have been saved and the risks to a woman's health from abortion will have been averted," Christiansen told the Deseret News last March.

Karrie Galloway, CEO of Planned Parenthood Association of Utah, said offering women resources would serve the state better than adding more restrictions.

"What would help women would be assistance with family planning medical services, the cost of contraception and better sexuality education, not Rep. Christiansen showing photographs that he chooses," Galloway said.

Utah law already requires doctors to receive a signed consent form from a woman after she views an information module and presents evidence she has done so, Galloway noted.

HB253 would take those requirements further, mandating that the woman present a certificate of completion for watching the information video and sign and date a document in front of a health care witness under penalty of perjury that she has viewed the module.

The bill would also require an abortion provider or assistant to describe potential side effects and risks of an abortion to the woman.

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—Karrie Galloway, CEO of Planned Parenthood Association of Utah

Anecdotal information points to issues with doctors not ensuring informed consent takes place. If a woman doesn't watch the health department's information module, she's making a decision without complete information, Christiansen said.

The bill would significantly increase the penalties incurred by a doctor who does not comply with the informed consent. They would need to pay \$50,000 per occurrence, Christiansen noted.

Physicians would not be guilty of violating those requirements if they can prove that the information in the health department's module "would have resulted in a severely adverse effect on the physical or mental health of the pregnant woman," according to the bill.

Physicians also would not be guilty of violating the law if they can prove the abortion is needed to avert the death or substantial impairment of the woman; if the pregnancy is a result of rape or incest; or if the mother is 14 years of age or younger.

The bill would also require the Utah Department of Health to modify its video so that viewers must watch it in its entirety without skipping or fast-forwarding any section in order to get a required certificate of completion. The module would designate a specific code for each woman with a timestamp for when she completes it.

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—Rep. Steve Christiansen, R-West Jordan, bill sponsor

Under the bill, the health department would need to show high-resolution video segments of at least 10 seconds each of an unborn child at six weeks, eight weeks, 10 weeks, 12 weeks, 16 weeks and 20 weeks, as well as audio of the heartbeat at those stages.

"Now obviously, she can turn the volume off, she could leave the room if she wants. But we're just trying to make sure that that information module — which is really important in terms of helping women understand what is about to happen depending on what decision she makes — just make sure she gets the information she needs to make that critical decision," Christiansen said.

Galloway contended that through the bill, the lawmaker is trying to change the minds of women who decide to get abortions.

"If good, accurate, complete information causes a woman to change her mind, well, then, that's her decision. And she obviously felt like it was the right decision to make, so that's wonderful. That's the purpose of good, accurate complete information," Christiansen said.

The bill would also direct abortion providers to disclose the number of women who suffer complications from abortions each year along with the other data they are required to provide.

"Again, these are all (Christiansen's) personal issues. There is no need. Abortion is a very safe procedure. There are very few complications. It's not going to change anything," Galloway said, calling the bill a "vanity" piece of legislation.