

Utah abortion ultrasound bill fuels heated debate in House committee

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SALT LAKE CITY — A Utah bill that would require doctors to show a woman her ultrasound before performing an abortion fueled a passionate debate Friday in a House committee hearing.

“Best information leads to the best decision, and this bill is all about that,” Rep. Steve Christiansen, R-West Jordan, said.

Presenting the bill to members of the House Judiciary Committee, Christiansen focused on the physical and emotional risks associated with abortion and how he believes the ultrasound requirement would address those risks by convincing many women not to abort.

HB364 would require the medical provider to describe the images produced in the ultrasound to the woman and make the fetal heartbeat audible, if possible. The woman would be able to choose not to look at the images or listen to the heartbeat, according to the bill, as well as ask that the sound of the heartbeat be reduced or turned off.

Christiansen introduced a substitute bill during Friday’s meeting that clarifies the bill would recommend transabdominal ultrasounds — as was intended in the original bill — rather than transvaginal ultrasounds in order to be less invasive to women.

Lindsey Tafengatoto, a post-abortion outreach director for Pro-Life Utah, helped Christiansen present the bill. Many women who’ve had an abortion that she’s worked with felt they were misled going into the procedures, Tafengatoto said.

“A huge regret that these women carry with them is not seeing their own baby. I’ve heard with each healing session that an ultrasound ... would’ve changed their minds,” she said.

Christiansen emphasized that women would have the ability to look away from the ultrasound and not listen to the fetal heartbeat.

“By women receiving an ultrasound and viewing the images of that little baby and hearing the heartbeat, by that simple act, many choose not to receive an abortion and therefore avoid the risks that I’ve just talked about,” Christiansen said.

The bill would preserve exceptions including rape and incest. It is one of several bills that address abortion this session, including one that would require aborted or miscarried fetal remains to be buried or cremated, and one that would make abortion illegal except for in certain cases including rape, incest, or risk to the mother’s life.

In a poll released earlier this week by the Planned Parenthood Association of Utah, the Alliance for a Better Utah and the ACLU of Utah said that as many as 80% of Utahns say the state doesn’t need new restrictions on abortions.

Rep. Karianne Lisonbee, R-Clearfield, addressing that poll during Christiansen's presentation Friday morning, said she was contacted by Dan Jones and Associates to take the poll. Lisonbee described the poll questions as "leading" and "presupposing." When she asked the pollster why the questions were "leading," he said he didn't write the questions, according to Lisonbee. At the end, the pollster told her the questions were written by Planned Parenthood, Lisonbee said, adding that she believes the poll results shouldn't be trusted.

When asked for examples of the questions, Lisonbee said she didn't remember the specific questions.

Rep. Brian King, D-Salt Lake City, questioned whether there is any medical necessity for the bill, and whether there are any other medical procedures in general patients are mandated to go through.

"There should be a medical necessity to receive best information so that risks can be avoided," Christiansen said.

When the meeting opened for public comment, Marcela Smid, an obstetrician and gynecologist, said: "This bill would require me as a practicing obstetrician to go against a standard of care."

She called the bill a "government intrusion into medical practice."

When asked whether women are still being told their fetuses are "clumps of cells" — a complaint of many anti-abortion advocates — Smid said she knows of "no abortion provider, nor have I ever in counseling a woman about a termination, referred to an embryo as a clump of cells."

The standard of care is to perform ultrasound before abortion to determine the age of the fetus, she said. When asked if providers routinely block patients from viewing the ultrasound, Smid said providers "do not routinely deny" patients their medical information.

"That is a decision between a physician and a woman," Smid said.

One woman testified in support of the bill and said that after her abortion, she suffered several negative health effects years later. After years of struggling, she said, "I finally looked up the known effects of abortion on post-abortive women."

She found that she had all the effects of abortion, including panic attacks, suicidal thoughts, eating disorder and others. "Anything self-destructive, I had tried. ... Women do not know what lies ahead of them if they choose to abort," Landy Nicole said.

Linda McKee, speaking against the bill, said her mother had almost aborted her and her brother. She didn't, however, and they grew up in a traumatizing and abusive home.

"My mother should not have been a parent," McKee said. "She wanted an abortion, and by all medical terms and conditions, she should've been allowed to," McKee said, but "emotion got in the way."

Dusty Johns, a mother of six, said that before having an abortion, she was given an ultrasound that she wasn't allowed to see. She was told her baby was a clump of tissue.

Had she been given a chance to view the ultrasound, Johns said she would've seen that her son looked like a "gummy bear." His heartbeat would've been "beating loud and strong," she said. Had she known that, Johns said she would've delivered the baby and seen him graduate in the spring.

Mark Brinton, director of government affairs for the Utah Medical Association, said the organization opposes the bill because turning up the volume in an ultrasound on the heartbeat

of a fetus before 20 weeks loud enough to be able to hear it “can be dangerous to the fetus and cause miscarriage and defects.”

When asked what exactly a woman would be required to do, Christiansen said Utah law already requires a woman to wait 72 hours before receiving an abortion after going through an “information module” about the risks. The new bill would require she also receive an ultrasound from a provider of her choosing before the 72-hour period.

The state has already identified pregnancy resource centers willing to perform ultrasounds for free, Christiansen said. If a woman chooses not to go to one of them, the Department of Health would “facilitate a connection” with another provider for a nominal fee. The state would then cover the cost of the ultrasound, Christiansen said.

The bill would require doctors or providers to provide written confirmation to the woman that she has received the ultrasound, as well as keep records of it. If the provider does not perform an ultrasound, he or she would be required to pay a fine of up to \$100,000 the first time and up to \$250,000 each subsequent instance.

Christiansen said Friday that because the risk is “significant, the penalty should also be significant.”

After running out of time before floor time, the meeting adjourned without a vote on the bill.