

The Honorable Governor Robert McDonnell\_Governor of the Commonwealth of Virginia\_

\_Your Excellency: \_\_

**Please Veto House Bill 462 The Mandatory Ultrasound Bill\_\_**

On March 1, 2012 the Virginia General Assembly passed House Bill 462 (Byron):  
\_\_"Abortion; informed consent. Requires that, as a component of informed consent to an abortion, to determine gestational age, every pregnant female shall undergo transabdominal ultrasound imaging and be given an opportunity to view the ultrasound image of her fetus prior to the abortion. The medical professional performing the ultrasound must obtain written certification from the woman that the opportunity was offered and whether the woman availed herself of the opportunity to see the ultrasound image or hear the fetal heartbeat. A copy of the ultrasound and the written certification shall be maintained in the woman's medical records at the facility where the abortion is to be performed. The ultrasound is not required if the woman is the victim of rape or incest and the incident was reported to law enforcement." \_\_

As originally written, HB462 forced women to undergo a medically unnecessary and physically invasive procedure and then pointlessly wait 24 hours before undergoing an abortion . After a justifiable public outcry, the bill was amended and the transvaginal ultrasound, which requires physical penetration of the patient and which is used in the first trimester of pregnancy (when 90% of all abortions occur) was removed from the bill. Unfortunately the bill that remained still mandated an ultrasound, but in place of what State Senator Janet Howell called "state mandated rape", it now requires a procedure (transabdominal ultrasound) that is both unnecessary and medically useless for determining gestational age of a first trimester fetus. The bill continues to be an affront to the dignity of the women of the Commonwealth, a further assault on their reproductive rights, a slander of their intellectual capacities and judgment, and a dangerous misuse of state power with potentially wide ranging, unintended effects. The Alliance for Progressive Values strongly urges you to veto this language or at the least amend the bill to remove the mandatory requirements as well as the onerous and potentially sinister records requirements and the 24 hours waiting period.\_\_

Reasons to oppose HB462: \_

- HB462 requires doctors to perform an unnecessary and medically useless procedure. Nowhere else in state law does this occur. It opens the door to other such mandates and squarely places the government between a patient and her healthcare provider. It should also be noted that no physicians groups or women's health groups have requested this procedure; that these proposals are not based on any evidence or research; that the psychological harm that is likely to result may lead to increased morbidity and indirect economic costs (hospitalizations, working days lost, psychopharmacology and psychotherapy costs); and that mandating such unsound policies puts already-understaffed specialists in women's health in the position of either violating their medical oaths (*primum non nocere*) or participating in medical fraud (either charting unperformed services, or billing for unnecessary services). \_

- The records requirement places an unnecessary burden on doctors and clinics and seems designed solely to have a chilling effect on women who seek to have abortions. \_ • HB462 constitutes an unfunded mandate. The state mandates an ultrasound but does not provide a means for women to obtain funding for the procedure. Ultrasounds can cost as much as \$1,200. This bill would effectively make it impossible or at best much harder for women without insurance to receive this legal medical procedure. \_

- The 24 hour waiting period once again places an unnecessary and punitive burden on women, especially low income, working women who would have to take off additional time from work or school and may have to travel to get an abortion. The waiting period also assumes that women lack the capacity to make their own healthcare decisions and must be protected from their own choices. \_\_

It is clear that this bill as written and amended exists solely to shame and intimidate women. At a time of great stress in a women's life it adds a needless and vindictive layer of coercion that can best be described as emotional blackmail. It places undue economic burdens on the young, and the working poor and implicitly denies women's understanding of what is happening inside their own bodies. Governor McDonnell please reject this needless and cruel bill and end the circus that has seen our Commonwealth become a national laughingstock and cautionary tale. \_\_