

## WOMEN'S HEALTH PROTECTION ACT (S. 217/ H.R. 448)

The Women's Health Protection Act would preserve and protect access to safe, legal, essential reproductive health care and ensure that the constitutional rights of every woman in the U.S. are secure – no matter where she lives. This legislation creates federal protections against state restrictions that threaten women's health and intrude upon personal decision-making.

### Why We Need the Women's Health Protection Act

Despite the clear constitutional rights recognized in the landmark Supreme Court decision *Roe v. Wade*, in many parts of the country it has become extremely difficult for women to safely and legally end a pregnancy because politicians have enacted laws singling out abortion care for regulations that apply to no other similar medical practice.

The Supreme Court has made it clear, again and again—most recently in the historic *Whole Woman's Health v. Hellerstedt* case—that women have a fundamental right to abortion care and that “undue burdens” on access violate the Constitution. In recent years, state legislatures have been more active than ever in passing sham laws and burdensome requirements that interfere with medical practice and the safe provision of abortion care, shut down clinics providing abortion services, and ultimately jeopardize women's health. Since 2010, states have enacted 334 abortion restrictions, an unprecedented and damaging attack on women's health. And many of those state laws have been replicated as harmful federal legislation.

**The Women's Health Protection Act protects a woman's health, her ability to make her own decisions, and her constitutional rights.**

### Protecting Women's Health and Rights – No Matter Where They Live

The Women's Health Protection Act ensures that abortion services will continue to be available by invalidating laws that single out abortion providers for requirements and restrictions that are medically unnecessary, that do not promote women's health or safety, and that limit access to abortion services.

Among the laws and regulations that would be made unlawful are those requiring unnecessary tests and procedures (e.g. mandatory ultrasounds); requiring doctors to adhere to outdated and less effective medical regimens (e.g. restrictions on medication abortion); TRAP (“Targeted Regulation of Abortion Providers”) laws that apply onerous and medically unnecessary

requirements on facilities and providers and are designed to shut down clinics (e.g. admitting privilege and ambulatory surgery center requirements); and pre-viability bans (e.g. 20-week, “heartbeat”, and procedure bans).

In other words, the Women’s Health Protection Act would nullify dangerous regulations passed under the false premise that such restrictions advance women’s health when really they stifle access to abortion care and endanger women’s lives. The bill maintains both the framework of regulations and limits recognized in *Roe v Wade* and the strong system of health and safety regulations that governs the provision of reproductive health care and truly ensures women’s well-being.

## Recommended Talking Points

- **We need a federal law that puts a woman’s health, safety, and rights first, regardless of her zip code.** The Women’s Health Protection Act does exactly that.
- **The Women’s Health Protection Act strikes an important balance**, preserving the strong system of regulations that truly ensure women’s safety while prohibiting disingenuous and dangerous laws that shut down clinics and threaten women’s health.
- **Every woman faces her own unique personal circumstances.** We are not in her shoes. A woman should be able to make her own medical decisions, in consultation with those she trusts, without the interference of politics and politicians. That is the value upheld by the Women’s Health Protection Act.
- **Unconstitutional and medically unnecessary state restrictions on abortion have divided women** into those who can and those who cannot exercise their constitutional rights. The promise of the Constitution is one of equal protection under the law. The Women’s Health Protection Act would enforce and protect access to safe and legal abortion for all women in the U.S., no matter where they live.
- **Ensuring a person’s ability to access the full range of reproductive health care services**, including abortion, is critical to respecting a woman’s moral agency, and her religious liberty, dignity and conscience.