

Restricting Abortion: Georgia¹

In far too many places throughout this country, it has become extremely difficult for women to safely and legally end a pregnancy. In too many states, politicians have enacted laws that single out the provision of abortion services for restrictions that are more burdensome than those imposed on medically comparable procedures, do not significantly advance women's health or the safety of abortion services, and make abortion services more difficult to access. It's time for politicians to stop interfering with women's personal decision-making. We need a federal law that puts women's health, safety, and rights first. The Women's Health Protection Act does just that.

In Georgia, the following restrictions are among those that would be unlawful under the Women's Health Protection Act once enacted:

) **BAN** on abortion after 20 weeks of pregnancy (an unconstitutional pre-viability ban) with unconstitutionally narrow exceptions for when the life or health of a woman is endangered and when there has been a lethal fetal anomaly diagnosis.²

) **REQUIREMENT** that providers who perform abortions, including medication abortion, be licensed physicians,³ despite recommendations from the World Health Organization that other highly qualified health care providers can safely provide medication abortion.⁴

) **REQUIREMENT** that if an ultrasound is performed prior to an abortion, the provider must offer the woman the opportunity to see the image and hear the fetal heartbeat, whether or not the provider believes it is appropriate.⁵

) **REQUIREMENT** that clinics that perform abortions in the second trimester meet structural and other regulatory standards unrelated to patient safety.⁶

"I ask you to think of the anguish it would cause, to be forced to remain pregnant with a baby you know will die, for one or two or three months longer, because politicians think they know medicine better than your own doctor, and they know your circumstances better than you do."

- Anne Mellinger-Birdsong, a Georgian pediatrician, epidemiologist, and mother.

(Endnotes)

- ¹ The restrictions highlighted herein are examples of the types of restrictions that the **Women's Health Protection Act** seeks to invalidate. This fact sheet is not intended as a comprehensive guide to abortion restrictions in Georgia.
- ² Ga. Code Ann. § 16-12-141(c). Legal challenges to this restriction are ongoing.
- ³ Ga. Code Ann. § 16-12-141(b)(2); Ga. Code Ann. § 43-34-110 (prohibiting physicians' assistants from performing an abortion or administering a medication abortion); Ga. Code Ann., § 43-34-25(l) (prohibiting advanced practice registered nurses from performing an abortion or administering a medication abortion).
- ⁴ See World Health Org., *Safe Abortion: Technical and Policy Guidance for Health Systems* 65 (2nd ed. 2012), available at http://apps.who.int/iris/bitstream/10665/70914/1/9789241548434_eng.pdf?ua=1.
- ⁵ Ga. Code Ann. § 31-9A-3(4)
- ⁶ Ga. Code Ann. § 16-12-141(b)(1); Ga. Comp. R. & Regs. 290-5-32-.01 *et seq.*