

DANE COUNTY BOARD OF SUPERVISORS

RES. 250, 13-14

SUPPORTING THE WOMEN'S HEALTH PROTECTION ACT

Access to safe, legal abortion services is essential to women's health and central to women's ability to participate equally in the economic and social life of the United States. In recent years, the Wisconsin State Legislature and legislatures in other states have dramatically increased the number of laws and regulations that single out abortion for discriminatory and more burdensome treatment than similar medical procedures, thereby threatening women's ability to access safe abortion services.

Because the degree of government interference with the delivery of abortion services varies significantly from state to state, the ability of health care professionals to provide safe and legal abortion services, and thus of a woman's ability to exercise her constitutional rights, is now dependent on her zip code.

Individuals of reproductive age live in Dane County and deserve equal access to comprehensive reproductive health care as those residing elsewhere.

We recognize that government plays an important role in regulating the medical profession and the delivery of health care services, including abortion services, to protect the health and safety of its citizens. Legal abortion is one of the safest medical procedures performed in the United States, and the safety of abortion is furthered by generally applicable regulations that are based on medical evidence, but is threatened by politically motivated restrictions that single out abortion for different and more burdensome treatment than similar medical procedures.

Government interference with the delivery of abortion services undermines women's personal and private medical decisions. It also harms women's health by reducing access to safe abortion services and to other essential reproductive health care, including contraceptive services, screenings for cervical cancer, and sexually transmitted infections.

Many forms of government interference with the delivery of abortion services, such as requirements that force women to make medically unnecessary trips to a provider, delay women's ability to obtain abortion services, and such delays create numerous hardships for women, including a) denial of access to early abortion procedures, b) increased risks to health, c) increased expense, c) absence from work, d) burdensome childcare arrangements, e) additional transportation costs and logistics, and f) the sacrifice of everyday necessities in order to find the additional funds, all of which can cause further delay.

Some government interference with the delivery of abortion services has led to the closure of safe, established, and reputable health care providers, thus reducing or eliminating access to abortion and a wide range of other critical health care for many women across the country. Laws enacted in Wisconsin have threatened to close providers in our state and are currently being litigated in court.

Government interference with the delivery of abortion services also makes it more difficult and costly for women to access abortion services, and for health care professionals to provide them, but does little or nothing to further women's health or the safety of abortion services. Further, interference with the delivery of abortion services in particular harms the health of low-income women, women of color, and women living in rural areas.

We believe the following types of government interference are particularly harmful to a woman's ability to decide whether and when to bear a child because they single out the provision of abortion services for restrictions that are more burdensome than those restrictions imposed on medically comparable procedures, they do not significantly advance women's health or the safety of abortion services, they make abortion services more difficult to access, and in many cases, they violate the constitutional protections afforded women:

- (1) prohibitions on abortion prior to fetal viability;
- (2) prohibitions on abortion after fetal viability that lack protections for the woman's health and life;
- (3) measures or actions that prevent a woman from obtaining an immediate abortion when delay poses a risk to her health;
- (4) measures or actions that prohibit or restrict a woman from obtaining an abortion prior to fetal viability based on her reasons or perceived reasons;
- (5) measures or actions that require medical professionals to perform specific tests or follow specific medical procedures in connection with the provision of an abortion, unless generally required for the provision of medically comparable procedures;
- (6) measures or actions that limit an abortion provider's ability to delegate tasks, other than a limitation generally applicable to providers of medically comparable procedures;
- (7) measures or actions that limit an abortion provider's ability to prescribe or dispense drugs based on her or his good-faith medical judgment, other than a limitation generally applicable to the medical profession;
- (8) measures or actions that limit an abortion provider's ability to provide abortion services via telemedicine, other than a limitation generally applicable to the provision of medical services via telemedicine;
- (9) requirements or limitations concerning the physical plant, equipment, staffing, or hospital-transfer arrangements of facilities where abortions are performed, or the credentials, hospital privileges, or status of personnel at such facilities that are not imposed on facilities or the personnel of facilities where medically comparable procedures are performed;
- (10) requirements that prior to obtaining an abortion, a woman make one or more medically unnecessary visits to the provider of abortion services or to any individual or entity that does not provide abortion services; and
- (11) requirements or limitations that prohibit or restrict medical training for abortion procedures, other than a requirement or limitation generally applicable to medical training for medically comparable procedures.

Federal legislation limiting government interference with the delivery of abortion services throughout the country is necessary to ensure that all people in all states, including those in Dane County and throughout Wisconsin, have equal access to safe abortion services.

THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors recognizes the critical importance of protecting access to safe and legal abortion to protect women's health and ensure their dignity, equality, and autonomy.

BE IT FURTHER RESOLVED that the Dane County Board calls upon the Wisconsin State Legislature to repeal all state laws inconsistent with these findings to protect each individual's health, her right to determine whether and when to bear a child, and her ability to exercise that right by limiting government interference with the provision of abortion services and further calls upon the United States Congress to pass and the President to sign the Women's Health Protection Act of 2013, S. 1696/H.R. 3471, 113th Cong. (2013).

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Dane County's congressional and state legislative delegation.

Submitted by Supervisors Pan, Dye, Bollig, Pertl, Salov, de Felice, Corrigan, Veldran, Erickson, Krause, McCarville, Levin, Solberg, Zweifel, Wegleitner, Schmidt, Downing, Gillis, Bayrd, Kolar and Rusk, February 20, 2014.

Referred to EXECUTIVE on February 20, 2014

Adopted by BOARD OF SUPERVISORS on March 6, 2014