



Women's Health Protection Act

Codifying *Roe*

The *Women's Health Protection Act* sponsored by Rep. Judy Chu (D-Calif.) and Sen. Richard Blumenthal (D-Conn.) would create federal protections for elective abortion nationwide. If passed, this bill would essentially codify *Roe v. Wade's* precedent of allowing abortion through all nine months of pregnancy. This bill's passage would be detrimental to existing legal protections of the unborn and would make it extremely difficult to pass additional pro-life legislation in the future.

Creates a More Challenging Standard for Passing Laws Protecting the Unborn

- The *Women's Health Protection Act* states that abortion laws must “significantly [advance]” either the “safety” of the abortion or the “health of patients.” This stipulation would severely limit the scope to which pro-life legislation can be enacted and also override current pro-life legislation.
- The bill would also prohibit some prerequisites that many states require prior to obtaining an abortion, such as viewing an ultrasound or detecting a fetal heartbeat.

Weakens Conscience Protections for Medical Professionals

- The language in the *Women's Health Protection Act* that would give women the right to abortion without any limitations could undermine existing conscience protection laws that allow health care providers the right to refuse participation in an abortion procedure.

Jeopardizes Prohibitions on Taxpayer Funding for Abortion

- The vague language contained in the *Women's Health Protection Act* could be used to strike down the Hyde Amendment and other federal laws that restrict taxpayer funding for abortions.
- Since the *Women's Health Protection Act* is designed to repeal nearly every limitation on a woman's access to abortion, courts could see laws that treat federal or state funding for abortion differently than funding for other services as being in violation of this bill.

Enshrines Late-Term Abortion and Strikes Down Commonsense Pro-Life Laws

- According to the *Women's Health Protection Act*, laws that “impede access” or “single out the provision of abortion services” are to be struck down.
- States would not have discretion regarding what limits can be placed on abortion before the point of viability. This could open the door for discriminatory abortions obtained on the basis of the unborn child's sex, race, or disability.
- The use of the word “health” in this bill allows for a broad interpretation that could include mental or emotional health or minor health issues that might not even put the mother's life at risk. Because the definition of the mother's health is not clearly delineated in this bill, it would allow for significant flexibility in justifying late-term abortions.

Equates the Death of an Unborn Child with a Routine Medical Procedure

- The *Women's Health Protection Act* likens abortion to actual health care procedures such as vasectomies, hysteroscopies, and even colonoscopies. This comparison diminishes the value of unborn life and equates the decision to take a child's life with routine surgery.

- The implication that abortion is “medically comparable” to these procedures makes it much easier for lawmakers to justify limiting restrictions on abortion.