



new york state RIGHT TO LIFE COMMITTEE, INC.

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2013 Statement of Opposition

The “Reproductive Health Act”: S.438 (Stewart-Cousins)

According to the Center for Disease Control, New York has the most induced abortions in the nation. In 2009, there were 119,996 total abortions in New York State. There were 87,273 in New York City alone. This is the equivalent of eliminating 89% of Albany. Instead of addressing this calamity, Governor Cuomo said that enacting a Reproductive Health Act (RHA) is one of his key objectives. Whether it is a standalone bill or part of a larger piece of legislation, the objective is the same. It would proclaim abortion as a fundamental right and impose an extreme abortion agenda on all New Yorkers.

- **The bill allows any “qualified, licensed healthcare practitioner” (i.e. non-physicians) to perform abortions**
- **This bill prohibits an objective standard for determining viability**
Roe v. Wade defined viability as the potential to “live outside the mother's womb, albeit with artificial aid.” RHA states that viability will be subjectively determined by the “licensed healthcare practitioner” and no “extraordinary medical measures” are required to help the child survive outside the womb. “Extraordinary medical measures” is not defined.
- **This bill would enshrine late-term abortion in New York State Law**
Abortions after 24 weeks of pregnancy are only allowed in New York law to save the mother’s *life* (Article 125 Penal Law). This bill amends the penal code to allow late-term, third-trimester abortions to protect the mother’s *health*. *Doe v. Bolton* has definitively defined *health* as “all factors—physical, emotional, psychological, familial, and the woman’s age.” This enshrines third trimester abortion until the moment of birth in New York State law.
- **The bill seeks to prohibit widely supported abortion regulations**
It says that the state cannot “deny, regulate or restrict” abortion. This extreme view seeks to prohibit the enactment of any widely supported protections such as informed consent, parental notification, limits on taxpayer funding of abortion and even a ban on sex selection abortion.
- **This bill presents personal opinion as scientific fact**
It defines pregnancy as beginning at implantation – not fertilization. This provision would allow abortionists to deceitfully withhold critical information from a mother about her child’s existence. At fertilization a new human life comes into existence. At that moment the color of her eyes, how tall she’ll be, his/her sex, everything relating to his/her DNA is established. Implantation is a change in location, not humanity.
- **This bill seriously threatens conscience protections**
If an individual or organization objected to *referring* or *counseling for* abortion, they would be denied all state funding and be indirectly pressured to shut down. Institutions, such as religious hospitals and insurance companies, have no protections under the bill.

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