



September 2021

The Women's Health Protection Act Is Needed Now

COMMITTEE ON ENERGY & COMMERCE

Comprehensive health care means having access to safe, affordable abortion care, and that access is under threat because of actions this month by the Supreme Court.

- Women make this incredibly personal medical decision in consultation with those they love and trust, and elected officials should respect those decisions.
- Once someone decides to have an abortion, it should be safe, affordable, and free from punishment, stigma and judgment.
- [1 in 4 women](#) in America will have an abortion and most are [already parents](#).
- Abortion is a safe medical procedure with [far less risks than a routine colonoscopy or tonsillectomy](#).

Access to abortion care has been under attack from hostile state legislatures and ideological Republicans who want to restrict abortion, and now the Supreme Court has permitted an unconstitutional ban on abortion to take effect in Texas.

- While [support for legal abortion is at the highest levels in two decades](#), and the majority of Americans oppose overturning *Roe v. Wade*, states across the country are passing legislation to restrict access and ban abortion care.
- Since 2011, anti-abortion lawmakers [have passed nearly 450 restrictive laws through state legislatures](#), including:
 - Mandatory waiting periods requiring patients to make multiple, unnecessary, in-person visits,
 - Draconian six-week bans, like the law in Texas, that prohibits abortion before many people know they are pregnant,
 - Requirements that doctors provide inaccurate information to patients such as telling women that an abortion may lead to a Post-Traumatic Stress Disorder-like condition, even though there is no medical evidence to support this,
 - Mandating unnecessary procedures including pelvic exams and heartbeat ultrasounds, and,
 - Targeted Restrictions on Abortion Providers (TRAP) laws intended to shut down provider facilities, such as onerous building requirements and hospital admitting privileges.
- As a result of these restrictions [nearly 90 percent of American counties today are without a single abortion provider, and six states only have one abortion clinic in the entire state](#).
 - This makes access to abortion care nearly impossible for far too many people.
 - The reality in America today is that your health care rights are dependent on where you live, and that is wrong.
- The Supreme Court recently acted to permit the most extreme restriction on abortion in the country in Texas to be implemented, which will result in the loss of access to care for millions of women.

- The Texas law bans abortions after six weeks of pregnancy - effectively ending abortion in the state since that is often well before most women even know they are pregnant.
- The law also allows private citizens to sue abortion providers and anyone else who helps a woman obtain an abortion, including those who give a woman a ride to a clinic or who provide financial assistance to obtain an abortion.
- Further, the law makes no exceptions for cases involving rape or incest.

When abortion care is difficult to obtain, the harm falls disproportionately on those struggling financially and people who already face significant barriers to health care.

- Restrictions on access to health care fall hardest on women struggling to make ends meet, women of color, LGBTQ people, young people, and people living in rural communities.
- Women of color already experience pervasive health disparities and face significant barriers to accessing care — new restrictions on abortion only make it worse.
- Study after study makes clear that restricting abortion access is detrimental to women’s health.
 - [A 2018 independent report by the National Academies of Sciences, Engineering, and Medicine](#) found that the biggest threats to the quality of abortion services are state regulations that negatively impact the timeliness, the efficiency, and the patient-centeredness of obtaining an abortion.
 - A study from the Center for Reproductive Rights and Ibis Reproductive Health found that [states with more anti-abortion laws also tend to have poor outcomes generally for women’s and children’s health](#) compared with states that have fewer restrictions.

The Women’s Health Protection Act (WHPA) would establish the federal right for health care providers to carry out an abortion, and for patients to receive abortion care, free from unnecessary state bans and restrictions intended to impede or block this access.

- The Women’s Health Protection Act of 2021 (H.R. 3755) is landmark legislation that guarantees the right to access abortion care free from political interference.
- The bill ensures that patients can access, and health care providers can provide abortion services without medically unnecessary and burdensome restrictions that single out abortion services as compared with other medical procedures with similar risk.
- **WHPA makes sure that the Constitutional right to abortion is a reality for all people, no matter where they live.**
- With the Supreme Court’s action earlier this month, it is time to pass the Women’s Health Protection Act and end political interference with women’s private medical decisions.