

HCS HBs 908 & 757 -- PAIN CAPABLE UNBORN CHILD PROTECTION

SPONSOR: Lichtenegger

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 7 to 1. Voted "Do Pass" by the Committee on Rules- Legislative Oversight by a vote of 7 to 3.

This bill creates the "Pain Capable Unborn Child Protection Act" which specifies that no abortion may be performed or induced, or attempted to be performed or induced, unless the probable gestational age of the fetus has been determined by a physician to have reached the pain capable gestational age and it is necessary to avert the patient's death or serious risk of substantial and irreversible physical impairment of a major bodily function. The physician must terminate the pregnancy in a manner which provides the best opportunity for the fetus to survive unless doing so would pose a greater risk of death or substantial and irreversible physical impairment of a major bodily function to the patient.

Any physician who performs or induces an abortion shall report certain information, as specified in the bill, to the Department of Health and Senior Services. Beginning June 30, 2018, the department must issue a statistical report of reported information during the previous calendar year.

Any physician or other licensed medical practitioner who intentionally or recklessly performs or induces an abortion in violation of this bill is subject to discipline from the appropriate licensure board.

PROPOSERS: Supporters say that the research is stating that a fetus can experience pain earlier in gestation than originally thought. As a result, there are only six countries that permit abortions after 20 weeks. The purpose of the bill is to ensure that when an abortion is completed it is safely before that time that researchers believe pain can be felt by the fetus.

Testifying for the bill were Representative Lichtenegger; Campaign Life Missouri; Joanne M. Schrader; Reagan Barklage, Students For Life of America; Kathy Forck; Kenneth Bax; Judy Bax; Concerned Women For America of Missouri; Missouri Right To Life; Susan B. Anthony List; and Kristi Brown, Charlotte Lozier Institute.

OPPOSERS: Those who oppose the bill say that many individuals electing to have an abortion do so because their child has a terminal condition and continuing the pregnancy would be dangerous for the mother or painful for the baby. The decision to have an

abortion is a deeply personal one and women must be trusted to make the best decisions for themselves and their families.

Testifying against the bill were Susan Gibson, Capitol Area Missouri Now; Planned Parenthood Advocates; Sarah Nesbitt; Sarah Birdsall; Christine Horan; Derek Bansas; ACLU Missouri; Naral Pro-Choice Missouri; Alexandra Rubin; Valerie French; and Emma Braun.