The Women’s Health Protection Act: Protecting the Patient-Provider Relationship

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Women’s access to abortion care is under attack in states across the country. From 2011 to 2016, states enacted more than 300 abortion restrictions – more than in the entire previous decade. In 2015 alone, 17 states passed 57 abortion restrictions, making it increasingly difficult for health care providers to offer abortion care and for women to access this vital health care service. The Women’s Health Protection Act (WHPA) (S. 217/H.R. 448), introduced by Sen. Richard Blumenthal (D-Conn.) and Rep. Judy Chu (D-Calif.), would begin to reverse the devastating impact of these attacks on women’s access to abortion care. This important legislation would ensure that women can make personal health care decisions for themselves regardless of where they live while protecting the relationship between a woman and her health care provider.

The National Partnership for Women & Families urges members of Congress to pass this bill to return health care decision making to women and their health care providers.

States are Passing Harmful Abortion Restrictions at a Record-Setting Pace

States have an important role to play in regulating the medical profession, but when those regulations do not comport with medical standards or when they directly interfere in the relationship between women and their health care providers, lawmakers have abused their authority. Yet states across the country are increasingly enacting laws that mandate how health care providers must practice medicine, regardless of the provider’s professional judgment, ethical obligations and women’s needs. Legislatures pass these laws under the guise of protecting women’s health, but in reality, they jeopardize it. These laws push abortion care further out of reach and threaten the health, safety and well-being of women who are unable to get the care they need.

WHPA Would Prohibit Restrictions That Target Abortion Care

States restrict access to abortion care by targeting clinics and health care providers as well as by mandating interventions that are not based on medical evidence and that disregard the individual woman’s needs and circumstances. WHPA would prohibit laws targeting abortion care.

care that serve only to restrict access to abortion. In doing so, it would repair and protect the patient-provider relationship by ensuring that women are able to get the care they need, and that medical professionals – together with their patients – are able to make decisions based on their best medical judgment and training. It would prohibit:

- Abortion-specific laws that impose stricter regulations than those imposed on comparable medical care. Examples include:
  - Laws mandating unnecessary procedures, such as mandatory ultrasounds before abortion care
  - Laws limiting a provider’s ability to administer medication based on the provider’s medical training and judgment, such as requiring medication abortion be administered in accordance with an outdated protocol
  - Laws prohibiting telemedicine in abortion care
  - Laws dictating unnecessary requirements for abortion clinics, such as mandating the number of parking spaces or the square footage of a clinic
  - Laws requiring medically unnecessary hospital admitting privileges
  - Laws mandating medically unnecessary visits to an abortion clinic
  - Laws restricting a provider’s ability to delegate tasks related to abortion care to another qualified provider
  - Laws that restrict or prohibit medical training for abortion procedures, unless the limitation or prohibition applies equally to other comparable procedures
  - Bans on pre-viability abortion care, including bans related to a woman’s reason for obtaining an abortion
  - Bans on post-viability abortion care that do not provide exceptions to preserve a woman’s life or health
  - Laws that mandate delays in care that could threaten a woman’s health

The growing trend of imposing ideology on medical care for political reasons must be stopped. All women deserve accurate information, high-quality care and the treatment options that best meet their needs. Health care providers should not be forced to choose between adhering to their ethical and professional obligation to provide the best possible individualized care for their patients and following laws enacted in pursuit of a political agenda.

**The National Partnership urges you to pass the Women’s Health Protection Act to protect women’s health and allow women and their health care providers, not politicians, to make health care decisions.**

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2 Ibid.


The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care and policies that help women and men meet the dual demands of work and family. More information is available at www.NationalPartnership.org.

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