

## Urge Chair Klick: Schedule a Hearing for HB 2215

- Texas abortion law is not medically precise enough to protect doctors who treat certain rare, dangerous conditions in non-viable pregnancies.
- HB 2215 is narrowly drafted to clarify protections for doctors related to terminating dangerous pregnancies.

HB 1280, Texas' abortion ban, which the Legislature passed in 2021 and went into effect in August 2022, creates an exception for cases when the pregnancy causes a "life threatening physical condition" that "places the female at risk of death or poses a serious risk of substantial impairment of a major bodily function."

Unfortunately, the wording in HB 1280 is not medically precise enough to account for a few rare conditions that can occur in the case of non-viable pregnancies. Physicians have stated that the law leaves them in significant legal jeopardy. Tweaking the language in HB 1280 would ensure that doctors can treat patients who present with rare, dangerous conditions, without undermining the law's efficacy in preventing termination of viable pregnancies.

HB 1280 should be amended to allow doctors to perform abortions in cases involving ectopic and molar pregnancies without having to defend themselves against criminal charges. An ectopic pregnancy, which occurs in almost 20 out of every 1,000 pregnancies, is when a fertilized egg attaches outside the womb and is nonviable. In molar pregnancies, which occur in one out of every 1,000 pregnancies, a non-viable fertilized egg implants in the uterus. The placenta can become cancerous, and the cancer can be metastatic.

HB 2215 would clarify the definition of pregnancy as "the condition of having an embryo or fetus develop within the body." In ectopic and molar pregnancies, the fertilized egg is not able to develop into a fetus. HB 2215 would protect a doctor who performs an abortion that is, in the doctor's medical judgment, medically indicated; necessary to preserve the patient's life, health, and/or future fertility; or requested because of a fetal anomaly or life-limiting diagnosis.

Tennessee, which also has a strict abortion ban, on March 20, 2023, passed HB 883, which adds termination of a pregnancy with the intent to terminate an ectopic or molar pregnancy to the list of actions that do not constitute criminal abortion in that state.