

Opposition to SB 405: “Born Alive Abortion Survivors Protection Act”

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SB 405 targets healthcare providers who provide safe and legal abortion care with the threat of a criminal penalty. The language of this bill is not based in medical science or fact, and implies that medical professionals are performing “infanticide.” These claims are blatantly false and are being pushed by anti-abortion activists in order to scare people and stigmatize reproductive health care. Because the bill assesses criminal penalties to providers, the impact of this bill will be to intimidate physicians away from providing the care their patients need.

In 2019, **Governor Cooper vetoed, and the legislature sustained, an almost identical bill.** In his veto statement, he wrote: “Laws already protect newborn babies and this bill is an unnecessary interference between doctors and their patients. This needless legislation would criminalize doctors and other healthcare providers for a practice that simply does not exist.”

Talking points:

- This bill is just another attack on access to safe abortion services in North Carolina. It is unnecessary, and if passed, would cause doctors to stop providing healthcare services that North Carolina women need. This bill could criminalize doctors who are helping patients and create a chilling effect on care for those families who are most in need.
- The bill is based on a false narrative, not grounded in medical science or fact, that medical providers aren’t providing appropriate care. The implication that medical professionals are providing unethical and/or substandard care is insulting to physicians providing care every day across North Carolina.
- Abortion providers are already required to comply with existing laws and are held to the highest standards of care, just like other medical professionals. This bill seeks to inject politicians into the patient-provider relationship, disregarding providers’ training and clinical judgment and undermining their ability to determine the best course of action with their patients.
- We all deserve access to healthcare based on our medical needs and doctor’s best judgement, not political ideology. The American Congress of Obstetricians and Gynecologists strongly opposes a similar federal bill and has called it a “gross interference in the practice of medicine.”
- **Bottom Line:** This bill is unnecessary, and it is a solution in search of a problem. **It is just another attempt to play politics with people’s healthcare and to drive a false narrative to stigmatize reproductive health care.** Physicians in North Carolina already follow rigorous licensing requirements, standards of care, and ethical codes when providing care to pregnant patients. This bill is really an attack on North Carolinians’ access to safe abortions, and attacks the physicians who provide them, particularly those who provide care to patients experiencing complex pregnancies.