



REFLECTION PERIOD BEFORE ABORTION

SUPPORT: SB 724 (Flores); HB 633 (Sullivan)

BACKGROUND: Current state law requires that, prior to an abortion, a physician inform the woman about the medical risks of both terminating a pregnancy as well as carrying her baby to term. The physician is also required to inform the woman of the unborn child's probable gestational age, verified by a required ultrasound which the woman has the opportunity to view.

Florida currently does not involve a waiting period prior to an abortion, although one is required for marriage (three days), dissolution of marriage (20 days), purchase of a handgun (three days), and cremation (48 hours). Presently, 26 states require women to wait a specified period of time, between 18 and 72 hours, after mandated counseling before obtaining an abortion*.

BILL PROVISIONS:

- Adds a 24 hour reflection period after information, already required by law, is provided to a woman before her pregnancy can be terminated
- The physician must be physically present in the same room with the patient when providing the information

RATIONALE: Florida statutes state that, except in the case of a medical emergency, consent to termination of pregnancy is voluntary and informed only if a physician has provided the woman information which is material to making a knowing and willful decision. Reflection on such information before making the irreversible decision of terminating a pregnancy "helps ensure that a woman's decision to abort is a well-considered one and rationally furthers the State's legitimate interest in maternal health and in unborn life" (*Planned Parenthood of Southeastern Pa. v. Casey* 505 U.S. 833 (1992)).

*For additional information, please contact --
Ingrid M. Delgado, Associate for Social Concerns/Respect Life
idelgado@flacathconf.org (850) 205-6826*

*http://www.guttmacher.org/statecenter/spibs/spib_MWPA.pdf