



From: Donna J. Harrison M.D.
Chief Executive Officer
American Association of Pro-Life Obstetricians and Gynecologists

To: All South Carolina Legislators and South Carolina Governor Henry McMaster

Re: H.5399 South Carolina Human Life Protection Act

Thank you for allowing me to submit this testimony. I am Dr. Donna Harrison, CEO of the American Association of Pro-Life Obstetricians and Gynecologists (AAPLOG). We are the largest medical professional organization of reproductive health professionals who defend both our pregnant patients and the human beings they carry in their womb. We represent over 6000 medical professionals across the country.

We have reviewed the South Carolina Human Life Protection Act, especially in the following sections:

Section 44-41-810 – Definitions.

Section 44-41-820 - Prohibition of medical and surgical abortions.

Section 44-41-830 - all sections - The Exceptions for Life/Health of the Mother. Contraception and IVF specifically excluded from this bill.

Section 44-41-870 - pertains to licensure loss for physician's who violate this law.

Section 44-41-810 and 44-41-820: The wording contained in these sections is consistent with the practice of medicine which values the lives of women and their preborn children. The Act does not in any way prohibit excellent medical care for women, and does not threaten women's health in any way.

The wording of this section limits abortion as defined in this law as *“the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn human being.”*

This wording clearly delineates the purposeful ending of the life of the human being in utero as the essential and primary element in the definition of abortion. This purposeful ending of the life of the human being in the womb is contrasted with what is not an abortion: *“Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of the preborn human being, or to remove a dead unborn human being.”*

The use of any drug, device or procedure used to terminate a pregnancy for the primary purpose of ensuring the death of the human being in utero before, during or in the process of separation of the mother and her embryo or fetus is not medical care and not consistent with the Hippocratic Oath which prohibits physician involvement in procedures primarily intended to kill human beings.

Life. It's why we are here.

Section 44-41-830 - all sections - The Exceptions for Life/Health of the Mother. Contraception and IVF specifically excluded from this bill.

The wording of this section allows for a medical professional to separate the mother and her fetus for legitimate medical indications. Section C explicitly allows for treatment in the following situations:

1. Treatment of miscarriage. (including blighted ovum)
2. Treatment of molar and partial molar pregnancy.
3. Treatment of ectopic pregnancy.

The wording of this section also allows for the separation of the mother and her fetus for serious risk to the mother's life or serious risk of irreversible bodily harm:

1. severe preeclampsia, HELLP syndrome,
2. abruptio placentae,
3. severe maternal trauma,
4. uterine rupture,

We think that this list covers the vast majority of reasons why a pre-viable fetus might need to be separated from his or her mother in order to save the mother's life or prevent serious irreversible harm to a major body organ.

AAPLOG noted that the Act also uses the standard medical definition of contraceptive at 44-41-810: "Contraceptive' means a drug, device, or chemical that prevents conception."

And, the Act also explicitly excludes IVF in section F. *"Nothing in this article shall be construed to prohibit in vitro fertilization or assisted reproductive technology procedures accepted as standard of care by the reproductive medical community. No part of the in vitro fertilization procedures or assisted reproductive procedures considered normal standard of care will be considered an abortion procedure."*

It is also appropriate that violations of the law hold real consequences for medical professionals who violate the law. The consequences outlined in section 44-41-850 are proportionate to the violations of the law.

In summary, AAPLOG has reviewed the wording of the Act and determined that the wording of the Act is both medically clear and reasonable.

Respectfully submitted,

Donna J. Harrison M.D.

Donna J. Harrison M.D.
Chief Executive Officer
Contact: donna@aaplog.org

Life. It's why we are here.