

Reproductive Justice Watch List - Week 1

SB918 - PASSED COMMITTEE (we're watching this one closely)

Summary:

Repeals language from health code that relates to and regulates abortions. Acknowledges bill is moot unless the right to an abortion is overturned (Roe, Casey) or Oklahoma is granted the ability to ban abortion

Concerns:

- This lays the groundwork to ban abortion if Oklahoma gains the ability from the federal government to ban it. Would not immediately ban abortion.
- Dangerous because the law, and its effects, would immediately snap into place should the federal government reverse its decision on a woman's right to choose

SB584 - PASSED COMMITTEE

Summary:

Bans all public funding to clinics found to trafficking body parts. Expands current law that bans state and federal money from going to convicted clinics to also include all political subdivisions like cities and counties

Concerns:

- Targeted bill towards Planned Parenthood based on the debunked claims that the organization traffics fetal tissue a.k.a. "body parts"
 - Originally a bill that blatantly stated that Planned Parenthood affiliates could not receive public funds (since re-written to address body part trafficking)
- This bill expands the purview of a current law
- This would restrict access by targeting Planned Parenthood, possibly inundating them with investigations and cutting or limiting funding. There are two abortion providing Planned Parenthood clinics in Oklahoma (OKC and Tulsa).

SB495 - FAILED COMMITTEE (will not move forward)

Summary:

Personhood bill. Defines life at point of conception. Amends criminal code that removes mentions that abortion is not considered murder. Labels induced abortion as homicide. Blatantly mandates the Attorney General to enforce this law even if it is contradicted by federal law.

Concerns:

- In 2012, Oklahoma Supreme Court tossed out a ballot measure that would have enacted a personhood definition. The court called it “clearly unconstitutional.”
- Unconstitutional by banning abortion outright and claiming to supercede federal law.
- Changes the definition of abortion to homicide and claims that Oklahoma has the right to define its own criminal code.
- Dangerous because not only would it ban abortion, it would make providers subject to homicide charges.

SB778 - PASSED COMMITTEE

Summary:

Imposes massive limits on abortion access related to medication abortions. Mandates extensive reporting when medication abortion regimen is prescribed. Mandates in-person only treatment, no telemedicine or by mail. Bans MAB medications being offered on state grounds, including universities. Institutes new information that a patient must consent to. Creates 72 hour wait time between consult and appointment. Does not affirm the right to abortion nor does it invalidate federal laws. States that each section is independent and intended to hold up if individual sections are struck down in court.

Concerns

- Although not an unconstitutional ban on MABs, this bill would add endless hoops to prescribing the medication in an attempt to regulate it out of existence
- A 72 hour waiting period would burden women and require them to attend two visits and directly harms rural and out of state women who may not be able to easily travel to OKC or Tulsa

- Bill requires clinics to take all reasonable efforts to get a patient to come in for a follow up within 14 days. Although a patient is not mandated to show up, this would be their third trek.
- Burdens clinics with extensive reporting requirements that do not improve the safety and use of the medication
 - Requires extensive information be gathered about the patient, although the bill explicitly states that no directly identifying information like name or drivers license will be reported. There is enough information gathered that a person could still be identified.
- Mandates doctors tell patients that abortion reversal is a safe and risk free alternative and further claims this is backed by research. Medical groups do not agree with this position stating there is too little information to make statements about its safety. A similar provision was passed in Kentucky but is now on hold by federal courts.
- Mandates that MAB medication must be given in person based on an FDA rule that was upheld by SCOTUS (MAB medication cannot be mailed)
 - ACOG has disputed that this is medically necessary
- Costly new mandate towards the State Board of Pharmacy, which would be forced to create a new reporting program

SB779 - PASSED COMMITTEE

Summary:

Imposes a certification on MAB manufacturers, distributors, and physicians. The State Board of Pharmacy would create a certification on who can and cannot transport and prescribe MAB medications. Stringent requirements for each. Requires extensive reporting of patients who are prescribed medications. Mandates new information a patient must consent to. Requires in-person only care. Publishes online all certification holders. Does not affirm the right to abortion nor does it invalidate federal laws. States that each section is independent and intended to hold up if individual sections are struck down in court.

Concerns:

- Very similar to SB778
- Costly new mandate towards the State Board of Pharmacy, which would be forced to create a new certification and reporting program

- Requiring the certification of manufacturers and distributors burdens businesses with undue regulation that may cause some to cease MAB medication distribution. With fewer distributors, clinics may have a harder time getting a supply
 - Regulations include requiring a .pharm or .pharmacy web address
- Places all certification holders on a public list claiming that it enhances a patient's ability to complain if they so choose
 - This will potentially endanger clinicians, manufacturers, and distributors by publicly announcing their role in MABs
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SB612 - PASSED COMMITTEE

Summary:

Abortions only premitted if the life of the mother is in danger.

Concerns:

- Blatantly unconstitutional. SCOTUS has explicitly affirmed the right of women to choose up to 10 weeks and this would eliminate that ability

- Punishes the provider with threat of imprisonment and/or fine. Does not punish them with homicide like SB495.