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Maine Department of Health and Human Services
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TTY: Dial 711 (Maine Relay)

March 28, 2025

Senator Carney, Chair
Representative Kuhn, Chair
Members, Joint Standing Committee on Judiciary
100 State House Station
Augusta, ME 04333-0100

Re: LD 682 – *An Act to Amend Certain Laws Regarding Abortions*

Senator Carney, Representative Kuhn and members of the Joint Standing Committee on Judiciary, thank you for the opportunity to provide information in opposition of 682, *An Act to Amend Certain Laws Regarding Abortions*.

This bill adds to the existing requirements for reporting abortions by directing the reports to also include information required by the most recent standard report form prescribed by the National Association for Public Health Statistics and Information Systems, Technical Resource for Reporting Induced Termination of Pregnancy. It specifies that reports may not identify the patient by name or include other identifying information.

LD 682 will revert changes legislated through PL 2023 c. 416 by changing the standard when an abortion after viability may be performed: *After viability, an abortion may be performed only when it is medically necessary to preserve the life or health of the mother or, in the professional judgment of a physician licensed pursuant to Title 32, chapter 36 or 48, the fetus is diagnosed with a lethal fetal anomaly*, and by reestablishing criminal penalties for performing an abortion without a license or after viability.

Maine Center for Disease Control and Prevention (Maine CDC) opposes this legislation as it is contrary to 22 MRS §1598 which states: *It is the public policy of the State that the State not restrict a woman's exercise of her private decision to terminate a pregnancy before viability except as provided in section 1597-A*. Current law takes into account the professional judgement of health care professionals authorized to perform the abortion. This would be removed by this bill inserting specific standards for women's healthcare, restricting medical choices and decision-making.

Also, out of sync with the policy position is the reestablishment of criminal penalties which will have a negative impact on pregnant people as seen in other states. By law, physicians must apply the applicable standard of care in making a professional judgment about abortion after viability (PL 2023 c. 416). When health care providers are threatened with criminal penalties (LD 682 specifies a violation constitutes a Class D crime), the fear of being penalized may impact the decision to provide services, leading to pregnant people not getting the treatment that otherwise would be provided. Providers who are treating pregnant people should be trusted to know the best plan of treatment that is centered on the provider-patient relationship. It is important that

providers have the ability to practice what they determine to be appropriate for each patient based on their medical training, professional judgment, treatment standards, and shared decision-making process.

In terms of data collection, there is minimal cost associated with the bill's additional reporting requirements. The Department's electronic data system can be updated to accommodate the collection of additional data. Data collected from a person through medical services can be useful in developing public health programs, however, like all health care services, it should be sensitive to a person's interest in maintaining a level of privacy.

Thank you for the opportunity to provide this information. While the reporting requirements in LD 682 are less of a concern, Maine CDC is concerned about the health impact and potential ramifications if this bill is enacted and respectfully requests the Committee to maintain the standard put into law in the previous legislative session and vote ought not to pass.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

A handwritten signature in blue ink, appearing to read "Puthiery Va", is written over the typed name.

Puthiery Va
Director
Maine Center for Disease Control
Maine Department of Health and Human Services