

House Bill 283
***Pain-Capable Unborn Child
Protection Act***

**Health & Government
Operations Committee
March 10, 2014**

Why Is This Bill Necessary?

- **SCIENCE**

- We know so much more about what happens in-utero.
- Medical science has advanced greatly in the last 40 years.

- **FACT**

- It's been proven that unborn children in late pregnancy can feel pain.

Fact: Fetal Pain

- **Vanderbilt University Medical Center Anesthesiologist Ray Paschall, M.D.:**
 - *"Our neurosurgeon was holding the scalpel and commented to me about the withdrawal movement (of the unborn baby). It took only two of those reactions, which would be explained away as reflexes by those who do not believe a fetus can experience pain, for us to make the change in approach and be very aggressive in providing surgical pain relief to the fetus. We have had no withdrawal movement since."*
 - ***New York Times ~ 2008***

Fact: Fetal Pain

For the purposes of surgery on unborn children, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their level when painful stimuli are applied without such anesthesia.

- “It has also been shown that fetuses feel pain from week 18. This has given rise to the practice of using fetal anesthesia for surgery or invasive diagnostic procedures in utero.”

Source: L. Giuntini & G. Amato, Analgesic Procedures in Newborns., in NEONATAL PAIN 73 (Giuseppe Buonocore & Carlo V. Bellieni ed., 2007).

Protect Women:

There are risks for Women in later term abortions:

**February, 2012 in Maryland:
The death of Jennifer Morbelli in Germantown, MD. Her death resulted from an abortion performed after 8 months of gestation.**

What Will This Bill Do?

- **Update Maryland law to recognize current, medical science showing that unborn children feel pain at 20 weeks or 5 months gestation.**
- **Provide pain relief to unborn children in late pregnancy.**

Under Maryland Law Now

- **Women are at great risk from late-term abortions.**
- **Science is ignored – pain management not considered.**
- **Maryland facilities currently advertise abortions at five months and later.**

What Would Change Under HB 283?

- **An abortionist must determine the probable age of an unborn child before proceeding.**
- **He must submit a report to the Department of Health and Mental Hygiene (DHMH) detailing age and method of abortion.**
- **The report would not include identifying information on the woman.**

What Would Change Under HB 283?

- **There are NO criminal penalties in this bill.**
- **Enforcement would be through civil & professional conduct remedies.**

What Are Other States Doing?

- **10 other states have passed this law—some with criminal penalties, and several other states are considering it.**
- **West Virginia just passed this bill and it is now on Governor Earl Ray Tomblin's desk for signature.**

Please Support HB 283

- **Science shows unborn children feel pain after 20 weeks of age.**
- **HB 283 protects unborn children from this pain.**
- **HB 283 protects women from harm in a late-term abortion.**
- **HB 283 has NO impact on the first 5 months of pregnancy.**

Please Support HB 283

QUESTIONS?