

Planned Parenthood challenges constitutionality of state's medication-induced abortion law

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A state law that subjects doctors who perform medication-induced abortions to possible criminal charges is unconstitutionally vague and should be struck down, Planned Parenthood of Wisconsin charged in a federal lawsuit filed Tuesday.

The suit in U.S. District Court in Madison challenges the law, which requires doctors and patients to take a series of steps before a woman can receive a so-called "pill abortion." Doctors who fail to follow some of the requirements can be subjected to criminal charges, civil penalties or disciplinary actions, the lawsuit said.

The defendants are Wisconsin Attorney General J.B. Van Hollen, the state's district attorneys and the Medical Examining Board who are charged with enforcing the law.

Van Hollen spokeswoman Dana Brueck said her office would "review and respond accordingly" to the suit.

The suit alleges the law does not clearly spell out what a physician must do to satisfy all of the requirements of the law.

Planned Parenthood, which performed roughly two-thirds of the 7,019 abortions in Wisconsin last year, stopped offering medication abortions in April when the law took effect. Officials said they could not provide the best care for their patients while protecting their

doctors from criminal liability. The nonprofit continues to offer surgical abortions at its clinics in Madison, Milwaukee and Appleton.

"We are in court to make sure decisions about pregnancy once again belong to a woman, her family and her faith, with the counsel of her doctor," Planned Parenthood president and CEO Teri Huyck said.

In an interview Tuesday, Dr. Douglas Laube of Madison said the reduction in pill abortions has forced some women to terminate their pregnancies later since surgical abortions can't be performed in the first weeks of pregnancy. Surgery also can be more dangerous for patients with certain physical conditions, he said.

"It is legislated medicine rather than evidence-based practices," said Laube, past president of the American College of Obstetricians and Gynecologists. The act requires, among other things, that women undergoing nonsurgical abortions visit the same doctor three times and that doctors verify through specific steps that patients are undergoing the procedure voluntarily. The state already requires written consent for an abortion.

Medication abortion involves taking two drugs within the first nine weeks of pregnancy. The process allows women to undergo abortion in their homes. The law does not affect emergency contraception, which is over-the-counter medication that women take to prevent, rather than terminate, a pregnancy.