

Oppose HB 1248 - Prevent the Government from Controlling Granite Staters' Private Healthcare Decisions

Bill Summary: HB 1248 would prohibit abortion after gestational age of at least 15 days. Limited exemptions include medical procedures intended to prevent death or serious risk of substantial and irreversible impairment of a major bodily function. For performing an abortion outside of the exemption guidelines, a health care provider would be guilty of a class B felony and fines of at least \$10,000 and up to \$100,000.

HB 1248 would ban all abortions in New Hampshire and is a danger to public health. This bill would prohibit abortions at 15 days into a pregnancy, before people even know they are pregnant, meaning people in New Hampshire would be denied the right to decide about their healthcare before they know they have a decision to make. Legal scholars note that a 15-day ban is “basically a ban at fertilization,” as fertilization only occurs at the end of two weeks from conception to create a zygote.ⁱ Even bans that limit abortion at six weeks, like the one in Texas, have resulted in devastating effects for patients and doctors; the state has seen an 11.5% increase in infant deaths since the onset of the ban, with experts agreeing that the legislation has increased health risks for both babies and mothers.ⁱⁱ

This legislation places both medical providers and their patients at risk. HB 1248 would impose sanctions on abortion-providing doctors unless the procedure is intended to prevent death or serious health risks. Because there is no clear, universal definition of the point at which a pregnant person's life becomes endangered, even when a physician is certain that an abortion or another intervention which poses a threat to a pregnancy is in the patient's best interest, the risk of prosecution will incentivize waiting to act until the patient's symptoms become demonstrably life-threatening.

The vast majority of Granite Staters support safe, legal abortion. Recent polling shows 87 percent of Granite Staters support reproductive freedom,^{iv} rejecting the idea that bodies are public property to be regulated by government officials.^v In fact, only three states have a higher percentage of residents who support safe, legal abortion access.^{vi} As this polling makes clear, Granite Staters oppose government intervention in their private health care decisions.

The New Hampshire Legislature should focus on the pressing economic and health care needs of Granite Staters. Recent data shows New Hampshire ranks last out of its New England counterparts in overall quality of healthcare, measured through cost, accessibility, and health outcomes.^{vii} Additionally, “nearly 100,000 Granite Staters live in poverty,” according to the NH Fiscal Policy Institute.^{viii} HB 1248 would only exacerbate these metrics: women refused abortions are nearly four times as likely to live below the federal poverty line four years later compared to those who had abortions.^{ix} Legislators should recognize the devastating impact of abortion bans on women's health outcomes and long-term financial stability and vote inexpedient to legislate on this bill.

Oppose HB 1248 – Trust Patients and Doctors – Not Politicians - To Make Private Healthcare Decisions

ⁱ Shefali Luthra, *New Hampshire's Proposed 15-day Abortion Ban Would Effectively Outlaw the Procedure*, Teen Vogue, Dec 8, 2023, available at <https://www.teenvogue.com/story/new-hampshires-proposed-15-day-abortion-ban>

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- ⁱⁱ The Cleveland Clinic, *Fetal Development*, n.d., available at <https://my.clevelandclinic.org/health/articles/7247-fetal-development-stages-of-growth>
- ⁱⁱⁱ Isabelle Chapman, *Nearly two years after Texas' six-week abortion ban, more infants are dying*, CNN, July, 20, 2023, available at <https://www.cnn.com/2023/07/20/health/texas-abortion-ban-infant-mortality-invs/index.html>
- ^{iv} Breakthrough Campaigns, *Memo: Amplify Poll Results Show Want State Leaders to Protect Their Reproductive Rights and Abortion Influenced Midterms*, available at [Amplify Abortion Polling Memo.pdf -](#)
- ^v Neil Levesque, *A Survey of Registered New Hampshire Voters*, August 9-11, 2022, New Hampshire Institute of Politics, Saint Anselm College, available at, https://www.anselm.edu/sites/default/files/Documents/NHIOP/Polls/SACSC_NHSW_0822_Book1.pdf
- ^{vi} Jeff Diamant & Aleksandra, *Do state laws on abortion reflect public opinion?*, Pew Research Center, Jan. 21, 2020, available at <https://www.pewresearch.org/fact-tank/2020/01/21/do-state-laws-on-abortion-reflect-public-opinion/>.
- ^{vii} Adam McCann, *The Best & Worst States for Health Care*, WalletHub, Aug 1, 2022, available at <https://wallethub.com/edu/states-with-best-health-care/23457>
- ^{viii} New Hampshire Fiscal Policy Institute, *Income & Poverty*, n.d., available at <https://nhfpi.org/topic/income-poverty/>
- ^{ix} Foster, Diana Greene. *The turnaway study: ten years, a thousand women, and the consequences of having—or being denied—an abortion*. Simon and Schuster, 2021.