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Testimony before the Senate Judiciary Committee

Senate Bill 38

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SB 38 addresses an issue of paramount public safety concerning human life: the requirements of in-person informed consent and an obstetric ultrasound on a pregnant woman before an abortion. The Catholic Conference of Kentucky supports SB 38 and urges the Senate Judiciary Committee to report SB 38 favorably to the Senate floor for passage. The Conference urges the General Assembly to pass SB 38 this session.

Sacred scripture teaches us the sanctity of human life: “Before I formed you in the womb I knew you, and before you were born I consecrated you.” (Jeremiah 1:5) Reflecting on the dignity of the human person and the sanctity of human life, Pope Benedict XVI, in an address to the Pontifical Academy for Life, taught: “Life is the first good received from God and is fundamental to all others...” (February 24, 2007)

Current Kentucky law and practice do not require in-person informed consent before an abortion. SB 38 requires that informed consent regarding an abortion procedure be given to a woman by a provider in a “face-to-face meeting with the patient and both parties are physically located in the same room.” The informed consent is valid only if “a physician or a licensed nurse, physician assistant, or social worker to whom the responsibility has been delegated by the physician” has the “face-to-face” meeting. Prior to a woman giving informed consent to having any part of an abortion performed, SB 38 also requires the physician or a technician working in conjunction with the physician to perform an obstetric ultrasound on the pregnant woman.

The SB 38 requirements of in-person informed consent and an obstetric ultrasound before an abortion are not burdensome. Truly informed consent, with the opportunity to see real-time ultrasound images of the baby and to ask questions of the abortion provider, is critical to a more complete understanding of the risks and consequences of the abortion on both the pregnant woman and her unborn baby.

Abortion is a life-changing and life-ending procedure. Good public policy demands that before a woman gives truly informed consent and allows an irreversible procedure to be performed on herself and her unborn child, she should be fully informed by the most complete and current information with the opportunity to engage in a one-on-one conversation with the provider. Since the lives of women and their unborn children depend on the outcome of SB 38, the Catholic Conference of Kentucky supports passage of SB 38 by the Senate Judiciary Committee and recommends its adoption by the General Assembly.

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