

CampaignForReproductive Health&Access

The Truth About HB 2354 The Reproductive Health and Access Act

The opponents of the RHAA have been making false claims in their committee testimony, in their alerts and on their websites. Here is some of the mis-information that is out there and an explanation of why it is wrong.

HB 2354 is the "Illinois Freedom of Choice Act (FOCA)".

- The RHAA was developed and written by Illinoisans to address the needs they see in the State of Illinois. It is not the same as any legislation that has ever been introduced in any other state or at the federal level. The label of "FOCA" does not adequately describe the bill. The RHAA is not the same as any version of the FOCA bills that have been introduced in Congress in past years. FOCA has not been introduced in Congress this year.

HB 2354 would prohibit any regulation of abortion at any stage of pregnancy.

- The bill requires abortions to be performed in accordance with accepted standards of medical practice, by the method that, in the clinical judgment of the attending medical professional, will best serve the interests of the pregnant patient. Abortions would be banned after viability except to save the life or health of the woman.

HB 2354 would prohibit banning Partial Birth Abortion.

- The ban on so-called "Partial Birth Abortion" is a federal law which cannot be overturned by the RHAA. The federal law will remain in effect even if HB 2354 is passed into law.

Under HB 2354 there would be no informed consent/waiting period before abortion.

- The current status of Illinois law regarding informed consent or a waiting period will not be changed by the RHAA. It is already the law that medical providers must obtain informed consent prior to an abortion just as they have to obtain informed consent prior to any other medical procedure. Currently, there is no waiting period requirement in Illinois law.

HB 2354 would eliminate requirements for parental notification of abortion.

- Currently there is no parental notification in Illinois. The parental notification law has not been in effect for 13 years because it is a bad law. It puts our teens at risk and does not protect their health and safety.

Under HB 2354 a school nurse can perform abortions.

- The RHAA will not change any Illinois regulations for how health care professionals are allowed to practice. Illinois law does not allow nurses to perform surgical procedures. The RHAA does not change that. School nurses would not be performing surgical abortions if the RHAA were passed into law.

HB 2354 would prohibit any future regulation of abortion.

- The current General Assembly cannot pass a law that binds a future General Assembly. Therefore, in the future, if the General Assembly decides to pass additional regulations on abortion or even repeal the RHAA, it is entitled to do so.

HB 2354 creates new, broad immunity protections for medical professionals performing abortion procedures.

- The immunity protections included in the RHAA are the same as the current immunity protections afforded to medical professionals performing other types of medical procedures.

Under HB 2354 there would be no conscience clause for health care workers in Illinois.

- The RHAA protects both patients and doctors. It allows individual health care professionals to object to providing certain services, while still ensuring that patients receive timely, accurate and complete services as well as information about care options.

HB 2354 prohibits the state from any regulation of contraceptives.

- The RHAA does not prohibit regulations of contraception as the State routinely regulates the sale, dispensing and other handling of drugs.

HB 2354 requires state medical programs like Medicaid and state employee health insurance to cover contraception and Plan B.

- Illinois' Medicaid program and the state employee health insurance plan(?) already cover contraception and emergency contraception ("Plan B").

HB 2354 would undo the FDA requirement that minors obtain prescriptions for emergency contraception.

- No state law can undo federal FDA regulations. Therefore, The RHAA would have no affect on this federal regulation.

HB 2354 would allow a minor to obtain emergency contraceptives without parental knowledge (Plan-B).

- Current Illinois law already allows teens to obtain contraception (including Plan B) without parental involvement. HB 2354 does not change that.

Under HB 2354 every public school student in the state would have to be enrolled in comprehensive sex education.

- The RHAA leaves current law that allows parents to remove a child from a class if they do not want their child to participate.