

Memorandum

NOW Government Relations Report

To: National NOW Board Members

**From: Bonnie Grabenhofer, Vice President and Jan Erickson, Director,
Government Relations**

Date: October 19, 2015

ECONOMIC EQUALITY

Ground-breaking Comparable Worth Law Adopted in California

First, let's report on the good news. On Oct. 6, California Gov. Jerry Brown (D) signed an equal pay bill that is the first of its kind adopted into law in the U.S. It is a true "comparable worth" law, meaning that job requirements and responsibilities, when compared, don't have to be completely identical in order to evoke an equal pay requirement; they can be "substantially similar." Women's equal pay advocates 40 years ago pushed for a "comparable worth" law only to be greeted by a brick wall of opposition from the business community and male-dominated legislatures.

Pay equity advocates have been stymied ever since by that opposition and a court ruling over the 1963 Equal Pay Act which found that positions have to be substantially *equal* in skill, effort and responsibility. As result of that narrow law and court ruling – plus systemic sex-based pay discrimination – the gender pay gap has been painfully slow to narrow. (In fact, calculations show that we will have to wait until 2059 to see full parity. That would be 100 years to close the gap since women's equality advocates began campaigning in 1960.)

Wide Support for New Law - The **California Fair Pay Act** was authored by Sen. Hannah-Beth Jackson, a Democrat from Santa Barbara and supported by the California Chamber of Commerce and most state Republican lawmakers (what a surprise!), but some members of the business community said that there are likely to be many lawsuits and some businesses may leave California. Read more at http://www.huffingtonpost.com/entry/california-equal-pay_55e5c296e4b0b7a9633a3d63

NOW activists in other states should take a copy of the California Fair Pay Act (S. 358) to their favorite state legislator and ask her/him to introduce it. Here is a copy: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB358

In addition to thanking Sen. Jackson and supportive California legislators, we have to cite actors Patricia Arquette and Meryl Streep for shining a bright spotlight on the need for equal pay during February's Academy Awards presentations. Also, California Equal Rights Advocates played a

role in this historic advance, see <http://www.equalrights.org/win-signed-into-law-the-ca-fair-pay-act/>

VIOLENCE AGAINST WOMEN

Domestic Violence Awareness Month Developments

October is National Domestic Violence Awareness Month, and we were fortunate in being invited to a reception for anti-violence program advocates at Vice President Biden's home in late September. The Vice President's sister, Valerie Biden Owens, provided welcoming remarks and introduced her brother; Joe Biden as most everyone knows -- was the Senate leader most responsible for passing the original **Violence Against Women Act** in 1994, part of a larger crime bill. The vice president often reminisces about his work on anti-violence issues, and we are certainly indebted to him for that leadership.

On September 30, the **National Coalition Against Domestic Violence (NCADV)**, held a reception at the National Press Club to launch DV Awareness month, Take A Stand Against Domestic Violence, hosted by NCADV executive director Ruth Glenn. A special Advocacy award for a career of anti-violence work, NOW's own former staffer and current consultant Pat Reuss was recognized. Pat was unusually serious in her remarks – no joking – but made everyone in the audience crowd around her for a large group photo. In the early 1990s Reuss organized a giant national coalition of several thousand member organizations to pressure Congress for passage of VAWA.

This landmark legislation has saved countless lives, funded an extensive shelter network, assisted DV coalitions in every state and the District of Columbia, helped train law enforcement and launched the highly effective Domestic Violence Hotline (1-800-799-7233) which has over the past two decades fielded millions of calls for help with information on how and where to access help from law enforcement, shelters and local domestic violence assistance programs, <http://www.thehotline.org/>

Vice President Joe Biden was also presented (in absentia) an award which was received by Carrie Bettinger-Lopez, White House Advisor on Violence Against Women, who also delivered the keynote speech. Jessica Valenti, writer and founder of Feministing blog as well as staff writer and columnist for *The Guardian.us*, was given the Media award, <http://www.theguardian.com/profile/jessicavalenti> Valenti is the author of *Full Frontal Feminism: A Young Woman's Guide to Why Feminism Matters* and three other books.

Others who were featured at the NCADV event include Rep. John Conyers (D-Mich.), ranking member of the House Judiciary Committee, and Rep. Debbie Dingle (D-Mich.) who talked about her painful childhood experiences of family violence perpetrated by her father. Republican House member, Judge Ted Poe of Texas, also spoke at the event. A new film, *Private Violence*, was screened.

A Fundamental Change in Attitude - Most importantly, over the past twenty years the Violence Against Women Act and the feminist movement has brought about a revolution in attitudes and actions concerning domestic violence – no longer is it the silent epidemic that is tolerated and kept behind closed doors. But with 1,600 women being murdered each year and hundreds of thousands of calls for help to the Domestic Violence Hotline much remains to be accomplished.

Domestic Violence Programs Forced to Turn Away Thousands

Despite the fact that the Violence Against Women Act has been a tremendous success in aiding survivors of domestic violence, the need for assistance and shelter far outstrips resources. Each year, the **National Network to End Domestic Violence (NNEDV)** conducts a one-day census of DV programs across the U.S. NNEDV is headed by former NOW President Kim Gandy. In 2014, 1,697 out of 1,916 DV programs responded to the National Census of Domestic Violence Services, reporting on services provided during one 24-hour period.

Some 67,646 persons were served in that one day. Of those, 36,608 domestic violence victims found refuge in emergency shelters or transitional housing provided by local dv programs. Some 31,038 adults and children received non-residential assistances and services, including counseling, legal advocacy, and children’s support groups. Nearly 21,000 Hotline calls were answered and 23,506 persons attended prevention and education trainings.

Huge Unmet Need Reported - BUT programs reported 10,871 unmet requests for services in that one day of which 56 percent were for housing. If you multiply out that number over a year, the total comes close to four million unmet requests! More than a quarter of programs cited reduced government funding, nearly 20 percent report insufficient staffing to meet the need, 18 percent reported cuts from private funding sources, and 14 percent reported reduced individual donations.

What less financial support resulted in was the loss of 1,392 staff positions – most were direct service providers, such as shelter staff or legal advocates. Fewer resources for domestic violence programs is due to nearly “flat-line” funding for VAWA programs because of the sequester (across the board spending cuts) on the federal budget, severe cutbacks in state funding and the residual effects of the 2007-2009 economic meltdown.

A few years ago, NOW President Terry O’Neill submitted testimony to the U.S. Senate about this dramatic shortfall in domestic violence program funding. But until the sequester is lifted from federal discretionary spending (non-defense) and the economy returns to full strength enabling state governments and private donors to provide more funding, the One Day DV Census will continue to show that millions of victims get NO help. For more details, see Domestic Violence Counts, at <http://nnedv.org/projects/census/4481-domestic-violence-counts-census-2014-report.html>

HORRENDOUS FACT: More Than 294 Mass Shootings Thus Far in 2015

Again, a crazed, lone gunman is responsible for a mass shooting. That tragedy occurred on Oct. 1 at Umpquah Community College in Roseburg, Ore. when a student, Chris Harper-Mercer, opened fire, shooting and killing nine people and injuring nine others. Harper-Mercer, who is reported to have suffered from mental health issues, owned 14 guns. This tragedy was the 294th mass shooting – where four or more people are killed or injured by gunfire – for 2015, as of Oct. 1. Several more school shootings have occurred since then. NOW leaders spoke out years ago about how it is more often that girls and women are victims in these mass shooting.

The number of school shootings is mind-boggling; see the list at https://en.wikipedia.org/wiki/List_of_school_shootings_in_the_United_States#2010s

1,600 Women Murdered Annually - A significant proportion of those shot or injured in mass shootings are victims of a domestic violence/family violence incident. The toll for women murdered by men usually with a gun in 2013 was more than 1,600, according to new study by the Violence Policy Center, <http://www.vpc.org/press/more-than-1600-women-murdered-by-men-in-one-year-new-study-finds/>

On October 14, a day-long Domestic Violence Awareness Summit, as sponsored by the Women's Coalition for Common Sense, was held to discuss possible solutions to the gun violence and attended by 100 women leaders from business, government, military, law enforcement, academic and local communities. The summit was convened by former Rep. Gabby Giffords (D-Ariz.) who is the co-founder with her husband Mark Kelly of Americans for Responsible Solutions, (<http://americansforresponsiblesolutions.org/2015/10/13/wcc/>) and who has also established the Protect All Women Network.

Giffords was shot in the head in 2011 by a crazed gunman who shot 13 people, killing another six including a federal judge. She has since recovered to a great degree and campaigns with her husband for more effective gun safety laws.

Women 11 Times More Likely to be Victims - The connection between gun violence and domestic violence was a focus of the discussion, noting that abused women in the U.S. are five times more likely to be killed by their abuser if that individual has access to a gun (Centers for Disease Control, 2012). Most appalling: women in the U.S. are eleven times more likely to be murdered with a gun than women in other developed countries.

Since the federal government seems unlikely to address the epidemic of gun violence, many states are talking action to address major gaps in federal law. Twelve states have updated their laws to prohibit people convicted or violent misdemeanors against dating partners from possessing firearms. Twenty-five states prohibit gun possession by at least some people subject to protective orders for dating partners, but a federal law affecting all states would be the best answer.

Closing the Lautenberg Loophole on Dating, Stalking Violence

There are several pieces of legislation currently under consideration in Congress related to violence against women and girls. NOW just recently posted an action alert about the “no guns for batterers” bill - <http://now.org/take-action/action-alert-urge-your-senators-and-representatives-to-co-sponsor-and-pass-a-law-to-prevent-domestic-abusers-from-having-firearms/> which would close a loophole in the 1996 Lautenberg Amendment that fails to prohibit firearm purchasing and ownership by offenders who have punched, strangled or beaten a dating partner. Additionally, stalkers would be covered. The bills are: S. 1520, the **Protecting Domestic Violence and Stalking Victims Act of 2015**, sponsored by Sens. Amy Klobuchar (D-Minn.) and Mazie Hirono (D-Hawaii) and the **Zero Tolerance for Domestic Abusers Act** (H.R. 3130), sponsored by Reps. Debbie Dingle (D-Mich.), Robert Dold (R-Ill.) and Daniel Donovan Jr. (N.Y.)

We have had one important success on the anti-violence legislative front: **The Teach Safe Relationships Act** was adopted by the Senate in July as part of the **Every Child Achieves Act of 2015** (S. 1177), a reauthorization of the major **Elementary and Secondary School Act (ESEA) of 1965**. To increase awareness of consent and sexual conduct, the Teach Safe Relationships Act of 2015 (S. 355), sponsored by Sens. Claire McCaskill (D-Mo.), Tim Kaine (D-Va.), and Richard Blumenthal (D-Conn.), seeks to provide grant money to train educators and develop programming to teach safe and healthy relationship behaviors. Teaching students as young as high school, even middle school, about responsible and safe emotional health and well-being in relationships is key to combating the current sexual assault epidemic.

Now the legislation awaits House action and with the disarray over a replacement for Speaker John Boehner (R-Ohio), it's anyone's guess as to when that will happen. But, in the meantime, more pressure on House members is important, <http://now.org/wp-content/uploads/2015/07/Teach-Safe-Relationships-Act-Updated-Action-Alert.pdf>

Backlash Against Stopping Campus Sexual Assault

It looks like a pushback has begun against the pro-active campaign led by the Obama administration, along with many student and anti-violence organizations, to stop sexual violence on college and university campuses. Several college administrators and conservative groups have joined in an effort to downplay the extent of the problem and to provide solutions that we know from experience do not work.

Stop These Bills - Two bad bills have been introduced by Republican Rep. Matt Salmon (Ariz.) that would undermine Title IX protections for students by preventing colleges and universities from taking action until law enforcement acts. These two bills, sporting the usual deceptive titles that Republicans favor, **The Safe Campus Act** (H.R. 3403) and the **Fair Campus Act** (H.R. 3408), would not permit interim measures to protect and assist assault survivors to be implemented quickly. Changes to schools' discipline policies would be overly onerous, plus unfettered access by offenders and their attorneys to question survivors poses serious problems. This legislation, if passed and signed into law, would mean that few survivors would

be appropriately assisted and many years would be required for the criminal justice system to deal with offenders.

NOW signed on to a letter opposing these two pieces of legislation, and we will soon send out an action alert. In the meantime, you can get more details from the website of the National Task Force to End Sexual and Domestic Violence at <http://4vawa.org/>

REPRODUCTIVE RIGHTS

Update on Planned Parenthood, the Fake Scandal and Misleading Videos

The past few months have seen a set of events which most everyone in the reproductive rights advocacy community would agree are at once bizarre and ridiculous. A series of videos, heavily edited to present a misleading picture about the provision of donated fetal tissue by Planned Parenthood officials was released by the so-called Center for Medical Progress (CMP), leading to a scores of coordinated demonstrations in cities around the country against Planned Parenthood, accompanied by a chorus of Republican presidential candidates all decrying the supposed “sale of baby parts” in alleged violation of federal law by the organization, followed by outrageously inaccurate floor statements by abortion rights opponents in Congress, capped by ongoing hearings and “investigations” by Republican-led congressional committees and repeated attempts to defund Planned Parenthood.

Republican Theater to Divert Attention - You can't find a better example of the parallel political world that Republicans function in to keep their extremist base fired up. Time and again Republicans use made-up issues and inflammatory rhetoric to distract the public from the pressing socio-economic problems that the country continues to face. One only has to watch the Republican “debates” and hear what candidates are saying on the campaign trail to realize this is all part of Republican political theater to divert attention from an under-performing economy, growing inequality, erosion of the middle class, failure to fund infrastructure repair and refusal to stimulate job growth through fiscal policy.

What's most appalling is the flagrant misogyny on display that is part and parcel of the continued attacks on women's access to reproductive health care. Despite all this, the public continues to value Planned Parenthood, support for the organization went up over the summer and it is more popular than both of the political parties, <http://www.msnbc.com/rachel-maddow-show/gops-public-support-trails-planned-parenthoods-popularity>

NOW President Terry O'Neill's website statement of September 24, *Attacks on Women's Healthcare: Bad Policy and Bad Politics*, observed that “For months, extremists in Congress have promoted a fraudulent smear campaign against the country's largest provider of excellent, non-judgmental reproductive health services. To be clear, their aim is not just to block the 2.7 million women and men served by Planned Parenthood from accessing essential family planning services. They are also hell-bent on shaming women and ultimately banning abortion.”

See, <http://now.org/media-center/press-release/attacks-on-womens-health-care-bad-policy-and-bad-politics/>

To Refresh Our Memories

Since mid-summer, abortion rights opponents in Congress have been engaged in strident demands for defunding the organization, vowing to vote against any government spending measure that includes funds for Planned Parenthood. Then Speaker John Boehner (R-Ohio) tried to defuse the situation by urging members to wait until investigations are complete, emphasizing that shutting down the government again likely will not reflect well on Republicans. Senate Majority Leader McConnell (R-Ky.) also warned against a government shutdown. The actions in the House of radical Tea Party members and abortion rights opponents, no doubt, played at least a small role in moving Boehner to announce his resignation effective October 31. (The larger problem of Republican paralysis due to the anti-government, compromise-allergic Tea Party faction makes governing that body an impossibility.)

Government Shutdown over Planned Parenthood Funding - Nonetheless, a total of five Congressional committees – including a special committee created for that purpose -- are proceeding with “investigations” of Planned Parenthood and the provision of donated fetal tissue to research labs. Only two Planned Parenthood affiliates provided fetal tissue samples, donated with full consent by patients, to research labs. These activities were completely legal and within the appropriate medical ethical guidelines. Planned Parenthood also submitted a letter to Congress which provided background on the law and detailed fetal tissue donation procedures, assuring members that the donations were conducted properly and within the law. The organization also sent to members an independent forensic analysis of the videotapes which concluded that extensive editing and manipulation of the Planned Parenthood officials painted a deceptive picture.

Planned Parenthood announced on October 13 that its affiliates would “no longer accept reimbursement for costs related to fetal tissue donation, even though our current policies go above and beyond the legal requirements.” The PPFA statement stressed that “we all know that the recent smear campaign against our organization has nothing to do with reimbursements for fetal tissue donation at a few health centers, and everything to do with an agenda to ban abortion.”

Democrats on the House Energy and Commerce Committee conducted their own investigation of the allegations against Planned Parenthood. In a prepared statement issued on Sept. 10, Reps. Frank Pallone (D - N.J.) and Diana DeGette (D - Colo.) said, “Over the past month, we have carefully reviewed the facts at hand and the materials provided to us as a result of the majority’s inquiry. Despite the incendiary rhetoric, we have looked strictly at the facts. We are continuing to do our due diligence, but we have found these claims to be unsubstantiated.”

A Fact-Free Congressional Hearing – Earlier in October, the House Judiciary Committee held a hearing entitled, “Examining Horrific Abortion Practices at the Nation’s Largest Abortion Provider.” (These folks are so talented at coming up with catchy titles!) The event was one more

of the conservatives' fact-free, propaganda-heavy productions with the infamous James Bopp Jr., an arch conservative lawyer who for years has led efforts to re-criminalize abortion through personhood measures, as lead witness. Bopp, currently general counsel for National Right to Life, told the committee that the videos indicate that Planned Parenthood has broken several federal laws relating to fetal tissue. (More on James Bopp Jr. at <http://www.rightwingwatch.org/category/people/james-bopp>)

No representative from Planned Parenthood was invited to testify; nor was anyone from the Center for Medical Progress. However, witness Priscilla Smith, director of Yale Law School's Program for the Study of Reproductive Justice, testified that the CMP videos were intended to "entrap Planned Parenthood" and that there was no evidence in the misleadingly edited videos of a violation of any laws.

Committee chair Rep. Bob Goodlatte (R-Va.), who seemed to be under the impression that fetal tissue is donated without the consent of the woman, also remarked that the push for abortion rights and the right to donate fetal tissue is "starting to put the mom's health as secondary." Goodlatte's poorly informed remarks are typical for many conservative members of Congress who appear to have little interest in or knowledge of women's reproductive health care.

Hearing a "Farce" - With all of this fear-mongering, ignorance of evidence and lack of legitimate representation by Republican members, Rep. Jerrold Nadler (D-N. Y.) was correct in calling the whole spectacle a "farce." The same might be said of the rest of the hearings.

Planned Parenthood President Cecile Richards has had a chance to defend Planned Parenthood affiliates' actions before hostile congressional committees. On September 29, Richards made a strong presentation that every action taken by the two affiliates involved in fetal tissue donations was well within the law. Republican members kept Richards at the witness table for five hours while they harangued Planned Parenthood, dissected its funding and made insulting remarks aimed at Richards. You can follow the comments and questions at <https://oversight.house.gov/hearing/18201/>

The House voted on Oct. 8 to create a special subcommittee of the Energy and Commerce Committee that would investigate "medical procedures and business practices used by entities involved in fetal tissue procurement" and "any other relevant matters with respect to fetal tissue procurement." The special subcommittee will have subpoena powers; six of the 11 House members to be appointed to the subcommittee are for Democrats – but it is not clear whether Democratic members will participate, according to a spokesperson for Minority Leader Nancy Pelosi (D-Calif.).

Investigations are going forward despite several statements by the Chair of the House Oversight and Government Reform Committee, Rep. Jason Chafetz (R-Utah) that there is no evidence that Planned Parenthood broke the law or did anything wrong. At a Judiciary Committee hearing on October 9, Chafetz said, "Did we find any wrongdoing? The answer was "no"." Chafetz answered CNN reporter Wolf Blitzer's question, "Is there any evidence, in your opinion, that

Planned Parenthood has broken any law?” by saying, “No, I’m not suggesting that they broke the law.”

Fetal Tissue Research Attacked – At the earlier House Judiciary Committee hearing, long-time anti-abortion rights campaigner, Rep. Trent Franks (R-Ariz.) called Planned Parenthood’s actions and, by extension, fetal tissue donation and research (which, it should be noted, has been legal since 1993 when it was adopted with overwhelming bipartisan support in Congress) the “worst human rights atrocity in the history of the U.S.”

Aside from the Republicans’ and the witnesses’ idiotic comments, It must be emphasized that fetal tissue research is one of the most promising areas of medical research. As an editorial in the New York Times (9/15/15) notes, “Fetal tissue cells were used to develop the original polio vaccine and are still used to make vaccines for rubella, shingles, chickenpox and an experimental Ebola vaccine.”

The editors also report that fetal tissue research is used to “develop treatment for H.I.V., end-stage breast cancer, diabetes and Parkinson’s, among other conditions.” Ironically, “fetal tissue is critically important in research for studying conditions that affect the health of fetuses and newborn infants, brain injuries in the womb that lead to cerebral palsy, and eye conditions that lead to macular degeneration,” the article points out.

The **New England Journal of Medicine** carried a commentary by Raegan McDonald-Mosley M.D., M.P.H., chief medical officer of Planned Parenthood, in which the writer noted that this is the 15th smear attack that Planned Parenthood has experienced in ten years. Dr. McDonald-Mosley said that the attacks and the doctored video are intended to block people from getting their care from Planned Parenthood and to further restrict access to safe and legal abortion throughout the United States. Read more at, *Tearing Down the Fetal Tissue Smoke Screen*, http://www.nejm.org/doi/full/10.1056/NEJMs1513242?query=featured_home&&

Life-Saving Research Threatened - Unfortunately, there are a number of bills introduced in Congress that would limit or halt research using fetal tissue, and at least 12 states have begun inquiries into fetal tissue research or are considering legislation that would halt research with fetal tissue. The fallout from this misdirected effort could weigh heavily on university centers and hospitals conducting potentially life-saving research projects that would lose important government funding.

This is all very reminiscent of the “dark ages” under George W. Bush when a ban on federal funding for stem cell research was enacted, causing considerable delay in important medical research initiatives and driving researchers abroad. Attacks on U.S. labs engaging in medical research with fetal tissue are ongoing and many researchers are fearful of speaking out about their work. (Read more at <http://rhrealitycheck.org/article/2015/09/04/anti-choice-lawmakers-use-planned-parenthood-attack-videos-target-fetal-tissue-research/>)

Though Planned Parenthood opponents’ rhetoric is about abortion and “baby parts,” this campaign is also an all-out effort to kill a popular national network of women’s health centers

providing a range of services for millions of low- and moderate-income women and men each year. Of the Planned Parenthood clinics that provide abortion care none utilize federal dollars for that service, as the law requires. (NOW and allies believe that the ban on federal funding for abortion care is an injustice to poor women and continue to call for repeal of the Hyde Amendment and similar restrictions.)

Planned Parenthood Clinics Critical for Women - If Planned Parenthood were to cease operations, its opponents' allege that community health centers can fill the void in providing affordable reproductive health care services. But a report requested by the Congressional Budget Office from the Guttmacher Institute report details the critical role of Planned Parenthood clinics in serving more contraceptive clients than hospital health centers, health departments, and other types of health centers. The report noted that, "Although Planned Parenthood health centers comprise 10% of all publicly funded family planning centers they serve 36% of all clients who obtain care from the clinic network." (See, <http://healthaffairs.org/blog/2015/09/08/quantifying-planned-parenthoods-critical-role-in-meeting-the-need-for-publicly-supported-contraceptive-care/>)

Three More Bills Passed to Defund Planned Parenthood, Limit Abortion - Over the past few weeks, the House has passed several pieces of legislation – all aimed at reducing access to reproductive health care. On Sept. 18, the House adopted by a vote of 248 to 177 H.R. 3504, the **Born-Alive Abortion Survivors Protection Act**, sponsored by Rep. Trent Franks (R-Ariz.). The bill would impose new legal requirements related to the provision of abortion services, in specific circumstances, which the White House says would have a chilling effect, reducing access to care. The White House has said the president would veto the bill.

That same day, the **Defund Planned Parenthood Act** (H.R. 3134, Sponsored by Rep. Diane Black, R-Tenn.) was adopted by a vote of 241 to 187. The White House also indicated that there would be a veto of the bill if it reached the president's desk. The Senate in early August stopped a bill to totally defund Planned Parenthood through a procedural measure that failed to get 60 votes. So it is not likely that the Senate will take up these bills or any other restrictive measure that the House passes.

At the moment, it seems unlikely that defunding Planned Parenthood may be futile. In fact, polls indicate that a solid majority of the public would be opposed to defunding Planned Parenthood, <http://www.people-press.org/2015/09/28/majority-says-any-budget-deal-must-include-planned-parenthood-funding/>

On Sept. 29, the House voted 236 to 193 (mainly on party lines) for the deceptively-named **Women's Public Health and Safety Act** (H.R. 3495, Sponsored by Rep. Sean Duffy, R-Wis.) that specifies that a state may not be required to provide medical assistance for any services furnished by any individual or entity based on the individual's or entity's involvement in abortion services.

Ultimately, the voters who send these clowns to Congress must take an honest look at whether these elected officials are appropriately representing the public interest, conducting legislative

business with integrity and whether they should be returned to office in 2016. The answer should be obvious.

Increased Use of Physician Gag Rules Threaten Public

An interesting new report examines how state legislatures are increasingly passing legislation which conflicts with professional and ethical standards of medical care – not just with regard to reproductive health, but environmental protection and gun violence. Health care providers who do not comply with these new laws are subject to criminal sanctions, civil liability or even criminal penalties.

We all know about the interference in medical practice that abortion rights opponents have managed to adopt into law: scripted information for patients that is inaccurate, irrelevant or biased. There are prohibitions against physicians from providing appropriate and timely care (24-48 hour waiting periods) and even mandating care that is not based in sound medical evidence. Biased counseling and mandatory ultrasounds are two examples. Also, a number of states have adopted provisions which make it difficult for providers and abortion patients to utilize the medication abortion method (essentially, RU-486) by prohibiting application through telemedicine and by requiring the use of an outdated protocol.

Industry Seeks Confidentiality Agreements - The advent of fracking (hydraulic fracturing of geologic formations) to access more oil and gas deposits in some states has become controversial. New York has banned fracking, but other states are permitting the activity which has resulted in blowouts, spills and contamination of nearby soils and groundwater. Industry and their friendly legislators have pushed for restrictions on what physicians can ask of patients with respect to exposure to potentially hazardous chemical or biological agents. In some cases, health care providers are asked to sign a confidentiality agreement restraining them from discussing anything about their patients' condition or possible exposure. Industry claims that these constraints are necessary to protect trade secrets – a claim which some say is not merited and leads to confusion or, worse, criminal prosecution of health care providers who are just trying to treat ill and injured patients.

Finally, the report focuses on restrictions imposed upon health care professionals regarding the ownership of firearms, as promoted by the **National Rifle Association**. A Florida law – which was upheld by the U.S. Court of Appeals for the Eleventh Circuit, unfortunately – prevents practitioners from even asking patients about gun ownership as part of routine preventive care.

The report indicates that, “leading medical societies, including the AMA (American Medical Association), the AAP (American Academy of Pediatrics), the American Academy of Family Physicians (AAFP) and the American College of Physicians (ACP), attest that gun violence can be reduced by providing patients and parents information about gun safety.”

According to one study in the Mayo Clinical Proceedings “an estimated 45 percent of patients who died by suicide saw their primary care physician a month before their death – which means

that their primary care physicians had an opportunity to identify patients at risk for suicide and provide life-saving preventive care.”

For more details about this alarming trend, read *Politics in the Exam Room, A Growing Threat*, <http://www.nationalpartnership.org/research-library/repro/politics-in-the-exam-room-a-growing-threat.pdf>