

Colorado Section American Congress of Obstetricians & Gynecologists

Representative Scott Bottoms
House of Representatives, State Capitol
Denver, Colorado

February 15, 2023

RE: Statement of Colorado Section of the American Congress of Obstetricians & Gynecologists
Concerning HB23-1119

Dear Representative Bottoms,

The physicians of the Colorado Section of the American Congress of Obstetricians & Gynecologists (Colorado ACOG) have reviewed HB23-1119 and have concluded that an outright prohibition on abortions is not in the public interest. Prohibiting abortions would be an arbitrary denial of important health care to Colorado. There is no justification for denying patients access to abortions. In fact, such a ban – like prohibition – will inevitably generate a black market for abortions and patients will suffer from black market operators who lack the skills of physicians and access to modern and safe facilities that are appropriate for the care.

It is the belief of the physicians of Colorado ACOG that abortion is health care. Every patient deserves to receive the best quality medical care possible – and that should be our lodestar for health care in Colorado. Developing and enabling black market health care is the very antithesis of a lodestar.

The science of medicine is not subjective, and personal beliefs no matter how strongly held should never outweigh scientific evidence, override standards of medical care, or drive policy that puts the life and health of any person at risk.

Legislative enactments that purport to supersede federal law and federal court rulings are little more than dubious statements of defiance and they rest on very shaky constitutional footing. In fact if such a statement were to be upheld, the effect would be a disintegration of our federal system of government.

The physicians of Colorado ACOG oppose the enactment of HB23-1119 and ask the members of the House Health & Insurance Committee not to send it forward.

For more information, please contact Richard G. Brown, 9032 F East Amherst Drive, Denver, CO 80231 303-601-9254 or via email at dickscuba@gmail.com

Good afternoon, Madam Chair, and members of the Committee,

My name is Heather Crate, and I am submitting written testimony as the Community Health Division Manager on behalf of Boulder County Public Health in opposition of HB23-1119, HB23-1097 and HB23-1150.

Facts are important, especially when it comes to policies and discussions that impact patients. Reproductive health care is an integral component of health. People who experience an unplanned pregnancy are [less likely](#) to receive prenatal care and may have a higher risk for [postpartum depression](#) and [mental health problems later in life](#). Unintended pregnancies have also been [associated with](#) higher rates of preterm birth and low birthweight. In addition to physical health risks we know that people who are denied abortions and give birth have higher odds of poverty after denial than those who receive abortions.

A recent study estimated that banning abortion in the U.S. would lead to a 21% increase in the number of pregnancy-related deaths overall and a 33% increase among Black pregnant people, simply because staying pregnant is more dangerous than having an abortion. Increased deaths due to unsafe abortions or attempted abortions would be in addition to these estimates.

These are not the health outcomes we want for birthing people in Boulder County, or Colorado more broadly, and that is why we oppose HB23-1119, which seeks to abolish abortion in Colorado.

Requirements to offer fetal anesthesia, which provide no benefit to the fetus or the pregnant person, increase the risk of complications and delay access to care. HB23-1097 conflates the triggering of autonomic responses to harmful stimuli, with pain. While research tells us the neural pathways that send these signals have completed development by 23 weeks, a comprehensive, nonpartisan, multidisciplinary [review of almost 2,000 fetal pain studies](#) concluded that “the capacity for functional pain perception in preterm neonates probably does not exist before 29 or 30 weeks”. Until the conscious ability to process these signals develops, it is definitionally and physically impossible to register pain. Allowing a nonmedical third party to dictate that counseling and treatment be based on sources other than evidence, clinical

judgment, and the patient's wishes undermines the scientific accuracy and patient-centeredness of the counseling process.

Lastly, according to the [American College of Obstetricians and Gynecologists](#) (ACOG), claims regarding abortion "reversal" treatment are not based on science and do not meet clinical standards. ACOG does not support prescribing progesterone to stop a medication abortion. Government should never require physicians to tell patients inaccurate information. This is an interference in the patient-clinical relationship and contradicts a fundamental principle of medical ethics and why as Public Health, we also oppose HB23-1097.

For over a decade, Coloradans have continuously and decisively rejected attempts to ban abortion on the ballot and at the legislature. Collectively, these three bills are repeat attempts to ban, limit, or delay the rights of pregnant people in Colorado to access the health care of their choosing. They propose interventions that are not supported by current science or medical evidence and should be rejected.



February 17, 2023

**Written Testimony of Catherine Glenn Foster, M.A., J.D.
President & CEO, Americans United for Life
In Support of HB 23-1119
Submitted to the House Committee on Health & Insurance**

Dear Chair Daugherty and Members of the Committee:

I serve as President & CEO of Americans United for Life (AUL), America's original and most active pro-life legal advocacy organization. Founded in 1971, two years before the Supreme Court's decision in *Roe v. Wade*, AUL has dedicated over 50 years to advocating for comprehensive legal protections for human life from fertilization to natural death. AUL attorneys are highly regarded experts on the Constitution and legal issues touching on abortion and are often consulted on various bills, amendments, and ongoing litigation across the country.¹ For five decades, AUL's staff, supporters, and partners have worked tirelessly to advance the human right to life in culture, law, and policy. I appreciate the opportunity to submit legal testimony concerning HB 23-1119, a bill to abolish abortion in Colorado.

The Bill Properly Furthers a Legitimate State Interest in Protecting Human Lives

For many years, abortion has been marketed as healthcare, even touted as essential medical treatment. Yet that could not be farther from the truth. Abortion exploits women and kills innocent preborn life. From conception, the preborn human being has a unique and complete genetic composition derived from both the mother and the father. As early as five (5) weeks' gestation, the preborn human being's heart begins beating. The preborn human being begins to move about in the womb at approximately eight (8) weeks' gestation.

Not only does abortion destroy a preborn child, it is also a devastating practice for women. Women become more isolated through abortion. Elective abortion does not improve the mother's physical or mental health, nor heal her in any capacity. As scholarship recognizes, "both sides agree that (a) abortion is consistently associated

¹ See, e.g., *Revoking Your Rights: The Ongoing Crisis in Abortion Care Access Before the H. Comm. on the Judiciary*, 117th Cong. (2022) (testimony of Catherine Glenn Foster, President & CEO, Americans United for Life); *What's Next: The Threat to Individual Freedoms in a Post-Roe World Before the H. Comm. on the Judiciary*, 117th Cong. (2022) (testimony of Catherine Glenn Foster, President & CEO, Americans United for Life).

with elevated rates of mental illness compared to women without a history of abortion; (b) the abortion experience directly contributes to mental health problems for at least some women.”²

Due to its destructive effects on families, mothers, and children, abortion has distorted the medical profession’s societal role as healers. The Hippocratic Oath is known as one of the most important steps in becoming a doctor, promising *primum non nocere* or “to do no harm.” In 2020, harm abounded through over 930,000 reported abortions in the United States.³

Simultaneously, fetal medicine in the modern age has drastically developed since the Supreme Court handed down *Roe v. Wade* in 1973. Ultrasonography visibly shows the development and humanity of the unborn child. Fetal medicine has become a technologically advanced specialty, empowering doctors to perform surgery on the unborn child in utero. For example, prenatal surgery is available for pulmonary hypoplasia. This condition is a life-threatening disorder that occurs when an infant’s underdeveloped lungs cannot breathe on their own.⁴ Surgical techniques allow for early intervention, promoting lung development so that the preborn child is born with full breathing capabilities. Women and preborn children have more options than ever before for a healthy delivery.

When the Supreme Court handed down *Dobbs v. Jackson Women’s Health Organization*, there was renewed hope that abortion violence could be eradicated. As the Court recognized, “[t]he Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision.”⁵ Accordingly, the Supreme Court held, “[i]t is time to heed the Constitution and return the issue of abortion to the people’s elected representatives.”⁶ The Court further recognized States may abolish abortion to further legitimate governmental interests, which “include respect for and preservation of prenatal life at all stages of development . . . the protection of maternal health and safety; the elimination of particularly gruesome or barbaric medical procedures; [and] the preservation of the integrity of the medical profession”⁷

Colorado certainly has an interest in protecting human life from the moment

² David C. Reardon, *The Abortion and Mental Health Controversy: A Comprehensive Literature Review of Common Ground Agreements, Disagreements, Actionable Recommendations, and Research Opportunities*, 6 SAGE Open Med. 1, 1 (Oct. 2018).

³ Carla K. Johnson, *U.S. Abortions Rose in 2020, With About 1 in 5 Pregnancies Terminated*, PBS NewsHour (June 15, 2022), <https://www.pbs.org/newshour/nation/u-s-abortions-rose-in-2020-with-about-1-in-5-pregnancies-terminated>.

⁴ *Fetal Surgery: Doctors & Departments*, Mayo Clinic (Mar. 24, 2022), <https://www.mayoclinic.org/tests-procedures/fetal-surgery/doctors-departments/pdc-20384572>.

⁵ *Dobbs v. Jackson Women’s Health Organization*, 142 S. Ct. 2228, 2242 (2022).

⁶ *Id.* at 2243.

⁷ *Id.* at 2284.

that life comes into existence until natural death.

The Bill Clearly Treats All Life, Including Human Beings in the Womb, With Dignity

HB 23-1119 ensures that a unique genetic individual in the womb is treated with dignity for who they are, a human being, by reversing the tragedy of current Colorado law.

Current Colorado law has no limits on the abortions it allows. This goes well beyond even the allowance in the recently overturned *Roe* decision. In *Roe*, the Supreme Court at least recognized that “a State may properly assert important interests in safeguarding health, in maintaining medical standards, and in protecting potential life.”⁸ The language of HB 23-1119 explicitly removes this important role of the State, prohibiting restrictions by preventing any law that “denies or interferes with ... their fundamental right to choose to have an abortion.” In so doing, abortion is effectively on-demand at any point in the pregnancy up until birth.

Time and again, the pre-*Dobbs* Supreme Court recognized the need to protect life and provisions to ensure the informed consent and health of the woman on whose child the abortion will be performed.⁹ The Supreme Court reiterated that the “State has a legitimate interest in seeing to it that abortion, like any medical procedure, is performed under circumstances that insure maximum safety for the patient.”¹⁰ This Bill would repair Colorado’s abdication to act upon its legitimate interest in protecting life and ensuring the mother’s health.

Current Colorado law denies:

1. A complete, genetically unique (except for monozygotic twins) individual member of the species *homo sapiens* exists at the moment a sperm fertilizes an egg;
2. Between five (5) and six (6) weeks’ gestation, the preborn human being’s heart begins beating;
3. The preborn human being begins to move about in the womb at approximately eight (8) weeks’ gestation;
4. At about nine (9) weeks’ gestation, all basic physiological functions are present. Teeth and eyes are present, as well as external genitalia;

⁸ *Roe v. Wade*, 410 U.S. 113 at 154 (1973)

⁹ See *Planned Parenthood of Southeast Pa. v. Casey*, 505 U.S. 833 (1992)

¹⁰ *Whole Women’s Health v. Hellerstedt*, 790 F.3d 563 (2016) (quoting *Roe*, 410 U.S. at 150)

5. A human being's vital organs begin to function at approximately ten (10) weeks' gestation. Hair, fingernails, and toenails begin to form;
6. At eleven (11) weeks' gestation, the preborn human's diaphragm is developing, and he or she may even hiccup. He or she is beginning to move about freely in the womb;
7. At twelve (12) weeks' gestation, the preborn human being can open and close his or her fingers. He or she starts to make sucking motions, and senses stimulation from the world outside the womb. *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228, 2243–2244 (2022). He or she has taken on “the human form” in all relevant aspects. *Gonzales v. Carhart*, 550 U.S. 124, 160 (2007);
8. When a pregnant woman presents to a doctor, the doctor has two patients, mother and unborn child; and
9. That no human beings are endowed by the Law with lesser fundamental rights than others, and that all persons enjoy the equal protection of the Law.

The Bill is Consistent with the American Legal Tradition on Abortion

As the Supreme Court explained in *Dobbs*, nothing in the American or English legal tradition protects abortion as a fundamental right. Rather, these traditions have criminalized abortion. The Supreme Court in *Dobbs* stated that “[u]ntil the latter part of the 20th century, there was no support in American law for a constitutional right to obtain an abortion.”¹¹ When the United States adopted the Fourteenth Amendment, the majority of states had statutes criminalizing abortion at all gestational ages.¹² Nothing in the writing or discussion around the Fourteenth Amendment suggested that any member of Congress or state lawmaker expected that it would create a national right to abortion. Accordingly, the Supreme Court in *Dobbs* overturned *Roe v. Wade* and held that “[t]he Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision.”¹³

Citing its well-researched appendix of 19th century abortion laws, the Court notes:

By 1868, the year when the Fourteenth Amendment was ratified, three-quarters of the States, 28 out of 37, had enacted statutes making abortion a crime even if it was performed before quickening. . . . Of the nine States that had not yet criminalized abortion at all stages, all but

¹¹ *Dobbs* at 2284.

¹² *Id.* at 2252-53.

¹³ *Id.*

one did so by 1910.¹⁴

As new states entered the Union, “[a]ll of them criminalized abortion at all stages of pregnancy between 1850 (the Kingdom of Hawaii) and 1919 (New Mexico).”¹⁵ “By the end of the 1950s, according to the *Roe* Court’s own count, statutes in all but four States and the District of Columbia prohibited abortion ‘however and whenever performed, unless done to save or preserve the life of the mother.’”¹⁶ As the Court finds, “[t]his overwhelming consensus endured until the day *Roe* was decided.”¹⁷

Accordingly, “[t]he inescapable conclusion is that a right to abortion is not deeply rooted in the Nation’s history and traditions. On the contrary, an unbroken tradition of prohibiting abortion on pain of criminal punishment persisted from the earliest days of the common law until 1973.”¹⁸

The Court concludes: “Abortion presents a profound moral question. The Constitution does not prohibit the citizens of each State from regulating or prohibiting abortion. *Roe* and *Casey* arrogated that authority. We now overrule those decisions and return that authority to the people and their elected representatives.”¹⁹

Thus, this bill is consistent with the country’s legal tradition that safeguards mothers and unborn children from the harms of abortion violence.

Conclusion

Colorado has a significant interest in protecting the health of both unborn children and their mothers. This bill ensures that unborn children are treated as what they are—full and complete members of the human family. For these reasons, I urge the Committee to support HB 23-1119.

Sincerely,



Catherine Glenn Foster
President and CEO
Americans United for Life

¹⁴ *Id.* at 23–24.

¹⁵ *Id.* at 24.

¹⁶ *Id.* (citing *Roe v. Wade*, 410 U.S. 113, 139 (1973)).

¹⁷ *Id.*

¹⁸ *Id.* at 25.

¹⁹ *Id.* at 78–79.



February 15, 2023

Rep. Lindsay Doherty, Chair
House Health & Insurance Committee
200 East Colfax Avenue
Denver, CO 80203

Dear Rep. Doherty:

On behalf of the Colorado Public Health Association (CPHA) and our 1,800 public health professional members across the state, we write to share our concerns with House Bill 23-1119, House Bill 23-1097, and House Bill 23-1150. CPHA believes access to the full range of reproductive health services, including abortion, is a fundamental right and integral to the health and well-being of individuals and to the broader public health.

House Bill 23-1119 - Abolishing Abortion in Colorado

One year ago, CPHA supported the Colorado Reproductive Health Equity Act. This bill would undo the progress made last year to codify access to reproductive healthcare services in our state. The proposal would allow the state to claim rights of the fetus as independent of pregnant women, which has the potential to deprive women of access to comprehensive reproductive health care—including abortion services, assisted reproductive technologies, and autonomy in pregnancy and childbirth decisions—as well as their rights to life, liberty, and privacy.

House Bill 23-1097 - Painkiller Administration Before Abortion

Access to abortion care is essential to the health, well-being, and bodily autonomy of pregnant people and their families. According to the American Congress of Obstetrics and Gynecology (ACOG), the science conclusively establishes that a human fetus does not have the capacity to experience pain until after at least 24–25 weeks. ACOG states, “Rigorous scientific studies have found that the connections necessary to transmit signals from peripheral sensory nerves to the brain, as well as the brain structures necessary to process those signals, do not develop until at or after 24 weeks of gestation. Because it lacks these connections and structures, a fetus or embryo does not have the physiological capacity to perceive pain until at least this gestational age.”¹

House Bill 23-1150 - Abortion Pill Reversal

Medication abortion reversal is an experimental procedure that involves the administration of a high dose of progesterone following the initial dose of mifepristone, a medication which blocks a pregnancy from continuing. Despite that several other states have pursued similar policies, we believe this approach has the potential to increase stigma around a woman receiving an abortion, decrease a woman’s autonomy, and make women susceptible to poor health outcomes including complications such as hemorrhage.

Since the *Dobbs v. Jackson Women’s Health Organization* decision last year, CPHA is increasingly concerned about any attempts to weaken or restrict access to fundamental healthcare services. We respectfully ask for your opposition to these three bills today and instead to uphold current Colorado law that enables access to the full range of reproductive healthcare services.

Sincerely,

Wivine Ngongo, MPH
President, Colorado Public Health Association

CC: Members, House Health & Insurance Committee

¹ <https://www.acog.org/advocacy/facts-are-important/gestational-development-capacity-for-pain>

HB 23-1119
Written Testimony
February 17, 2023

As a certified Ob/Gyn physician, and as a doctor who previously performed abortions, I am in favor of ending abortion in Colorado, specifically because abortion takes the life of an innocent human being – the offspring of two human beings, and the most vulnerable in our society.

When I performed abortions, I never considered the second patient, the preborn human being; this was unlike the remainder of my practice, where I always considered the two valuable lives in front of me. There is no excuse for what I did.

There is no doubt that abortion takes the life of a human, identified by its human chromosomes and its two human parents. The baby was alive, and is now dead. The intention of abortion is to cause the death of the baby.

I believe that those involved in the medical profession will stop this practice when we as a society actually look and recognize the humanity of this innocent preborn child, and its value, and the horror that is abortion. Those who propagate abortion, who perform abortion, should be penalized. The initial push for legalization of abortion was largely about protecting the doctors and other medical providers who were performing them.

My concern is for the woman, the mother of this child. While I believe that abortion is wrong in every sense of the word, these women have been told by society and the medical profession that the baby is “nothing”, and the truth of how abortions are actually done and what these babies suffer is lied about or hidden from them. They are often alone, afraid, not supported emotionally or financially, abandoned, and in horrible situations most of us could not fathom. 60% of women who choose abortion say they were coerced. Additionally, women who are abused and trafficked may be forced into abortion, or even unaware they have been given a fetocidal medication. For these reasons, I am not in favor of punishment of the woman.

Therefore, I cannot fully support the bill as written, although I 100% support ending abortion in Colorado because it brutally takes the life of an unborn human being, who has infinitesimal value and worth.

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 › MADISON, WI 53701 › (608) 256-8900 › WWW.FFRF.ORG

February 17, 2023

Submitted online

The Hon. Lindsey Daugherty
Chair, House Health and Insurance Committee
200 E. Colfax Ave.
Room 307
Denver, CO 80203

Re: Testimony in opposition to H.B. 23-1119

Dear Chair Daugherty and members of the committee:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) and our local membership to urge you to reject House Bill 23-1119. FFRF is a national nonprofit organization with more than 40,000 members across the country, including nearly 1,300 members in Colorado and chapters in Denver and Colorado Springs. FFRF protects the constitutional separation between state and church, and educates about nontheism.

Colorado is, in so many ways, a beacon by which the rest of the country seeks guidance. During the 2022 session, a few months before the Supreme Court overturned *Roe v. Wade*, the legislature in Colorado had the foresight to codify reproductive freedoms into law. H.B. 1119 undoes all of the progress from last year. This bill seeks to expand the definition of “person” in order to criminalize abortions that take at any point from fertilization to birth. Now is not the time to turn back the clock and enact radical bans that H.B. 23-1119 proposes.

There is a wealth of misinformation around abortion safety and efficacy. A comprehensive study conducted by the National Academies of Sciences concluded that abortions performed in the United States are indeed safe and effective. Furthermore, the report goes on to claim that “abortion-specific regulations in many states create barriers to safe and effective care.”¹ A Duke University study confirmed that claim. This 2021 research found that maternal mortality rates would

¹ The safety and quality of abortion care in the United States. (2018). <https://doi.org/10.17226/24950>

increase drastically if abortion bans were implemented. The study's abstract is quite straightforward: "[o]verall, denying all wanted induced abortions in the United States would increase pregnancy-related mortality substantially, even if the rate of unsafe abortion did not increase."² Last year, this body ensured that women would have access to safe, effective abortions. H.B. 23-1119 seeks to put those who seek reproductive health care back in danger.

Simply put, H.B. 1119 is far too extreme. A nearly identical bill has been deemed too extreme to even be heard by a committee in Arkansas. While I understand this bill is required to have a hearing, I respectfully ask the committee to reject this radical, dangerous legislation.

Thank you for your time and attention to this matter. I urge you to vote no on H.B. 23-1119.

Sincerely,

Ryan Dudley
State Policy Manager
Freedom From Religion Foundation

² Stevenson, A. J. (2021, December 1). *The pregnancy-related mortality impact of a total abortion ban in the United States: A research note on increased deaths due to remaining pregnant*. Demography. Retrieved February 16, 2023, from <https://read.dukeupress.edu/demography/article/58/6/2019/265968/The-Pregnancy-Related-Mortality-Impact-of-a-Total>

February 17, 2023

House Committee on Health & Insurance
Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

Re: HB23-1119, “Abolishing Abortion In Colorado”

Dear Chair Daugherty, Vice Chair Kennedy, and members of the Committee:

Physicians for Reproductive Health (PRH) is a physician-led national advocacy organization working to ensure access to equitable, comprehensive reproductive health care for the communities we serve. This care will always include abortion. Our network includes physicians of all specialties from across the country, including Colorado, committed to meeting the needs of the patients they serve. As a network of physicians, we write in strong opposition to HB23-1119. This bill is cruel in its attempt to ban abortion except in extremely limited circumstances. It subjects providers, working every day, serving their communities to severe penalties, and are grounded solely in political ideology, not medicine or science.

Whether patients in Colorado are ready to create their families, already parenting, or focused on their education or career, all of them share something in common – they are making thoughtful, at times difficult, decisions about their health and well-being. They deserve high quality health care, including abortion care, regardless of who they are, their income, or where they live.

Abortion bans like HB23-1119 are cruel and fall most heavily on those already facing the most barriers to care due to systematic injustices. Black people, Indigenous people, communities of color, people who are immigrants, young people, LGBTQ+ people, as well as those living in geographically isolated areas would bear the brunt of these bans at the expense of their dignity and their health. Restrictions on abortion are rooted in white supremacy and further a shameful legacy of controlling the decision-making of people of color and communities already marginalized from care.

Abortion is safe, essential, health care, and it should not be singled out for bans, restrictions or political interference. The American College of Obstetricians and Gynecologists (ACOG), along with other medical societies, identifies abortion as an essential health care service that requires timely access to care. ACOG also explicitly recommends the repeal of legislation that imposes barriers to access and interferes with the patient-provider relationship, including abortion bans. Abortion is extremely safe and placing bans on abortion care does not make it any safer. In fact, in 2018, the National Academies of Science, Engineering, and Medicine (NASEM) published a comprehensive study affirming the safety record of abortion and pointed out that the biggest threat to patient safety is the litany of medically unnecessary abortion regulations that raise costs and delay procedures, ultimately putting patients’ health at risk. They confirmed once again what we already know: bills like HB23-1119 do nothing to protect people, and only serve to jeopardize the health and well-being of people who are pregnant.

Banning nearly all abortion care in Colorado will have far reaching consequences both deepening existing inequities and worsening health outcomes for pregnant people and people giving birth. For example, studies have shown that women who were denied abortion care are more likely to experience high blood pressure and other serious medical conditions during the end of pregnancy; more likely to remain

in relationships where interpersonal violence is present; and more likely to experience poverty. Research shows that states with higher numbers of abortion restrictions are the same states with poorer maternal health outcomes. We also know that while most people will have healthy pregnancies, some will experience illnesses or conditions where pregnancy can cause serious problems or worsen existing health conditions. When abortion is made all but impossible to access, complicated health conditions can worsen and even result in death. It is disingenuous for supporters of this bill to claim that they care about the health and well-being of pregnant people in Colorado and in the same breath attempt to ban access to abortion in nearly all circumstances.

It is essential for this Committee to recognize that physicians are already bound by standards of care, medical ethics, and the law. This bill makes insulting assumptions about the professionalism of providers and disregards the extensive training they have undergone to provide the highest standards of medical care to the patients they serve. There are already many protections in place that dictate health care professionals must provide the best care possible to all of their patients, and there are already penalties for those who ignore these standards. Bills like HB23-1119 only serve to further stigmatize abortion care and are an attempt to criminalize and intimidate health care professionals providing necessary, high-quality care to their communities.

Members of this Committee have an opportunity to ensure law and policy is based in sound science and medical evidence. Under no circumstances should Colorado politicians attempt to limit access to abortion care. Together, we can achieve a future where equitable access to reproductive health care is available to every Coloradan. PRH urges you to oppose HB23-1119.

Respectfully,

Dr. Jamila Perritt, MD, MPH, FAACOG
President & CEO
Physicians for Reproductive Health

Thank you Madam Chair, Mister Vice Chair, and members of the esteemed committee for allowing me the opportunity to speak in opposition of HB1119:

I am Autumn Brooks, a survivor of rape that resulted in a pregnancy. I am here to speak for myself and others like me. Especially those of us who may also be viewed as promiscuous. The result of mine is now a living, breathing adult. Yes, I CHOOSE to keep my eldest that is a product of rape. I had the medical freedom to choose to keep my child.

That said, I understand that not everyone can do what I did and am continuing to do. For most in my position, many don't report a rape because they can't make it through a trial. Knowing something is growing in you as a result of an evil act is literally reliving that horrid experience every minute of every day. Afterwards they look into the face of the product of that act and they see their attacker. The mental torment is more than debilitating for these women, and it has been proven that the mental health of the mother affects the development of the fetus.

HB1119 forces those viewed as promiscuous to carry it to term. Would you want to relive the worst moment of your life 24/7 for 40 weeks? Now imagine that, but worse for the rape survivor. Now heaven forbid something is wrong with that baby once it's born and given up. That child would forever be in the system. Which is what would have happened to my Monkey-kin, if I hadn't been able to care for them.

No government agent, nor any other tom, dick and harry, sally, sue, and jane, etc. has a place in any doctor/patient dynamic period. It's no one else's business, unless the patient decides to disclose. For those that tell this body, why don't we show up and testify. We don't because by doing so we relive our horrid experience just to have to listen to others also attacking us. I can also attest that my child and their sibling know every bit of what an abortion is, including the ugly. My Monkey-kin also knows that abortion could have been their fate. Yet, they too support medical freedom. Please vote NO on HB1119 which will do more harm than good if passed. I welcome any and all questions, thank you.

House Health & Insurance
 02/17/2023 Upon Adjournment
 HB23-1119 Abolishing Abortion In Colorado
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Danaly Howe Against herself	This bill sets Colorado back and does not seek out to satisfy the majority of people in Colorado. Controlling women's bodies is an archaic practice. Please do not vote for this bill.
Diana Bara For herself	I support HB23-1119. An unborn child at all stages of gestation is a "person" with its own human DNA. A human being in utero, has the right to live and the woman carrying this human being needs to be supported at all stages of her pregnancy. Abortion is not the only option for an unwanted pregnancy. The Reproductive Health Equity Act (HB22-1279) passed last year and signed into law by Governor Polis, allowed abortions up to birth. It is the most extreme abortion law ever passed in Colorado and far exceeds Roe vs Wade. At nine months a child is fully formed, can breathe on their own, feel pain, and will survive outside the womb if allowed. HB22-1279 made prenatal homicide at nine months legal. Second and third trimester abortions are done through dilation and evacuation. The mother is dilated, and the child is removed with forceps or suction. Sometimes the skull needs to be pierced with a sharp medical instrument to allow them to collapse it. When a child is killed by abortion there is no death certificate or proof that there ever was a life. The aborted fetus is disposed of like waste. The Colorado Revised Statutes Title 25, Health § 25-2-110 states "A certificate of death for each death, including a stillborn death, that occurs in Colorado must be filed." A death certificate proves the existence of a life, whereas abortion negates it. All humans have the right to live and abortion is murder, not birth control. That is why I support this bill.
Josiah Wuthier For himself	Is rape always wrong under all circumstances? Hopefully most of us would agree that it is. How about the murder of the vulnerable? In this universe that God created, morality is not defined by culture, mass opinion, or preference, but is instead defined by the universal principles set in place by the creator God himself. The God of the Bible created humans with a special dignity. He created them in his very own image. Because of this, the unjust taking of a human life is murder, not something to be overlooked and not something without consequences. If this is so with those already born who can at least put up a fight for themselves, how much more is it so with those who are alive just like us, but are not yet physically capable of fighting for themselves? I challenge you to genuinely ask yourself the following question. Let it sink in and give an honest answer. Suppose a person really is a person

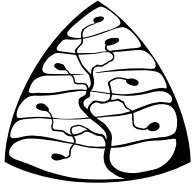
	<p>no matter their size, development, location, and dependence, and suppose abortion really is murder. Would you be willing to embrace this truth and change, or would you block out the truth and latch on to arguments defending a false conclusion that appeals more to your comforts?</p>
<p>Neema Caughran Against themselves</p>	<p>One thing I think we can agree on is that all human life is precious. Please remember that no one makes a decision to have an abortion easily. I know because I had one in the '70's. My life then could definitely not support a child. That decision, whether or not to bring a baby to term for whatever reason, is a sacred conversation between the woman and God. No one else should be involved in this decision, certainly not any government! No one knows all the reasons for an abortion. A woman's life is just as precious as the life of a baby.</p> <p>Single mothers face a lot of discrimination in our culture. I know because I am one; I adopted a child years later when I was ready. Single mothers are looked down upon in our society – I have lived through that stigma and the judgements made by others are really damaging. There is no support for single mothers and precious little for new parents. The anti-abortion movement is not about mothers, and it seems not even to be about babies! If it were about babies these same people would be lobbying for support for single mothers: free maternal care, free neonatal and child healthcare, 3 to 6 months paid parental leave, free childcare for all (this kind of support is offered in every other developed nation save ours.) Is the city prepared to offer support to all women, but especially the women who you would force to give birth against their will? Not to provide any support will result in increased poverty in Pueblo and more teenage mothers who really cannot cope. Oh, they say, "these babies can be adopted," with no mention of the significant lifetime of trauma that brings to the birth mother. Where is the compassion for them? And statistics show the states with the most restrictive abortion laws have the highest percentage of children in foster care. Is the city prepared for that?</p> <p>If it is not about babies then what is it about? As Gloria Steinem has observed: "Opposing a woman's right to control our own bodies is always the first step in every authoritarian regime." If we look out at much of the rest of the world today, we can see the truth of that. And if I say to you, if you want to prevent abortion legislate vasectomies, legislate male bodies. If that makes you flinch, you have a double standard!</p>
<p>Richard Tessier For themselves</p>	<p>God alone is the creator, the giver of life. No one can change that reality not even satan himself. Throughout history all the pagan rituals focused on aborting their greatest fear. The fear of Gods chosen newborn and children who can spread the truth about Christ. Today we are living proof that we can make a difference in choosing life over death. We have</p>

	<p>the tools to accomplish our mission with the love of Christ and his wonderful creation. So let's fight the good fight and abolish abortion once and for all.</p>
<p>Charles Vath For themselves</p>	<p>I am thankful for the opportunity to present arguments in support of the bill, HB23-1119, designed to abolish abortion in Colorado. It is my petition, then, members of the legislature, that you consider the following questions:</p> <ol style="list-style-type: none"> 1. Why do I hold the position on this bill that I do? Am I 100% certain I am in the right on this? 2. If a comprehensive, honest assessment of the abortion issue and the personhood or lack thereof of the unborn was presented to me, and it challenged my current stance, would I change my beliefs or even just my degree of belief? 3. If I am uncertain, at what degree of belief regarding the unborn being person would I be willing to risk being complicit, and even support, the killing of what would amount to over 60 million[1] innocent, helpless children since abortion was legalized in the U.S. for the sake of a choice, albeit an impactful choice? <p>Many good arguments have been put forth or will be brought forth that demonstrate that the unborn are persons, but all this testimony and debate amounts to naught if we are not willing to subject our beliefs to truth and reason. If we are not willing to abide by the truth, then we risk living in a state of confusion, turmoil, futility, and inflicting such things and more upon those around us without explicit malice. Thank you for your patience, please consider this issue carefully.</p> <p>References: [1] National Right to Life, "ABORTION statistics Reported Annual Abortions United States Data and Trends Lowest Levels in Decades," Jan. 2022. Available: https://nrlc.org/uploads/factsheets/FS01AbortionintheUS.pdf</p>
<p>Brandon Tessier For themselves</p>	<p>human life is sacred to God. He alone is the creator of all things including human life. Scripture even tells us that we are created in the image of God. What an awesome thought. But yet, in the world of today, man seems to feel that although we aren't the creator of life, we can choose to selectively put our own values on life and in turn, eliminate life in certain circumstances. Jesus is king and this is what his holy word tells us</p> <p>Deuteronomy 27:25 'Cursed be anyone who takes a bribe to shed innocent blood.' And all the people shall say, 'Amen.'</p>

	The nation is watching, Jesus is forever king!
Zachary Nixon For themselves	I just feel like we are murdering innocent lives. That baby had no part in the sexual act between its two parents. Why should that baby have to suffer the consequences of those actions? Why should we the people decide who gets to live or die? We have never had the right to decide that. At the end of the day this is another human life. It's been scientifically proven that it's a life as soon as it's made. Not only that but even doctors that have performed abortions have said it's scarred them, and that it's inhumane. Not only is all of this factors as to why abortion shouldn't be allowed, but also the major health risks that come associated to it. Freedom to do what you want with your body is one of the amazing perks of being American, but that baby didn't get the same choice now did it? People are making the choice for the baby. Give life a chance, otherwise what's the point to all this rebuilding America and all of us working together to help and love one another. That is the way God wanted us to be. It's time to come together and love one another and all life. Thanks for hearing me out.

As a citizen of Colorado, and a believer in the Creator from whom our inalienable rights recognized in the Constitution of these United States derive, I strongly support HB23-1119. Just as the State does not grant the rights of the people but is entrusted to uphold and protect them, the State cannot grant the confer the right of personhood to unborn children but must uphold and recognize it. If personhood is not recognized at conception, then the State is arbitrarily determining that right to exist at some point after conception, and in the case of Colorado law, at any point before birth. This position is to defy reason and embrace madness and willful ignorance. No person believes that a child that is being nourished by its mother's womb, which has its own DNA, its own personality, its own blood type and its own free will, constrained only by its current abilities and dependencies for sustainment and protection, is not a human being, fully deserving recognition of personhood like any newborn. What I just described in an unborn child applies to all children, as none are capable of their own sustainment and protection and fully dependent on someone else for their care, yet we regard them as the dearest and most precious members of society, fully recognizing our duty to protect them precisely because of their vulnerability and innocence. Why then should we believe that a child who is unborn, even those fully able sustain life outside of the womb, is not a human being, deserving of the same fervent protections we grant to children after they are born? To an impartial observer, the answer is clear. Some children do not merit protection because their mother, along with the State, has decided they are not persons. This is an affront to the rights recognized, not granted, by our Constitution. That a single adult, with the blessing of the State, may decide to end of life of a helpless human being simply because they wish to ignore their personhood is a direct abdication of the solemn responsibility given to the State by God Himself to protect those children. The State is instituted to "establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity". To do any less is to willfully ignore what you know to be true. Please, correct this evil, defend those who cannot defend themselves, recognize the personhood of these helpless and innocent children.

Daniel Crandall



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February 16th, 2023

Dear Madam Chairman Lindsey Daugherty and members of the House Health and Insurance Committee,

I'm writing to express my support of HB 23-1119. As a physician, holding board certification in both Family Medicine and Neuromusculoskeletal Medicine, I must convey to you that elective abortion is not healthcare.

In my practice, when I care for prenatal patients or have managed deliveries, I have always known that I am caring for two distinct persons. Elective abortion is not healthcare, because when done in the context of an otherwise healthy pregnancy the only goal is to end human life. This is why over 90% of OBGYNs refuse to perform elective abortions. Elective abortion is not healthcare, it is a violation of medical ethics.

Secondly, elective abortion causes harm to the mother (and obviously to her baby). Elective abortion puts a mother at increased risk for preterm labor in subsequent pregnancies. If an elective abortion is performed before the mother has had a full-term pregnancy, she is now at increased risk for breast cancer. There is an increased risk for mental health disorders, including suicide, after elective abortion. The procedure itself - at any stage in the pregnancy - can result in death or other abortion related complications and this risk only increases as the gestational age increases. Second and third trimester elective abortions incur a great risk of harm.

It is important to note, the American Association of Pro-Life Obstetricians "recognizes the unavoidable loss of human life that occurs in an ectopic pregnancy, but does not consider treatment of ectopic pregnancy by standard surgical or medical procedures to be the moral equivalent of elective abortion, or to be the wrongful taking of human life." Thus, I request consideration for an amendment to HB23-1119 to provide clarification on the legal protection of OBGYNs and specialized family physicians who manage ectopic pregnancy and intrauterine infections where the situation is not compatible with life for the baby and the mother is in eminent danger of death.

In summary, elective abortion is not healthcare because it provides no health benefit, and its sole purpose is to end human life. HB 23-1119 recognizes elective abortion is the taking of innocent human life. Elective abortion has devastating consequences to

mothers. Performing elective abortion is a violation of my oath as a physician to do no harm and has no medical/ethical justification. Therefore, I must support this bill as a physician, and I urge you to support this bill as our representatives.

Respectively,

Michael Leins D.O.

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February 16th, 2023

Dear Madam Chairman Lindsey Daugherty and members of the House Health and Insurance Committee,

I'm writing to express my support of HB 23-1119 abolishing elective abortion in Colorado. As a physician, holding board certification in both Family Medicine and Neuromusculoskeletal Medicine, I have sent you a separate letter offering a medical perspective on why elective abortion is not healthcare.

I realize that the question of healthcare may not resonate for some as much as the question of personhood, which I believe as do most, is preeminent. HB 23-1119 would protect the rights of human beings, persons who should have equal protection under the law, from the moment of fertilization. We are obligated not to take innocent human life. If the life in the womb is a person, elective abortion should be outlawed.

The question of personhood is twofold and can have only four answers. I first heard this reasoning from Trent Horn, who thinks deeply on this topic, and wanted to share it with you to help in your decision.

The questions we must answer to make the best decision we can are these:
Is the life in the womb a person? And are we sure?

Nobody is holding the position that "the life in the womb is not a person, and we are absolutely sure" - if this were the case, this bill would not be so contentious.

That leaves three possible answers to the questions:

The pro-life position is that "the life in the womb is a person, and we are sure." Therefore, the person has rights and should not be killed. What of the other two answers, which make up the options for the pro-choice position? How should one decide how to view elective abortion based on these answers?

Option 1: "It's possible the life in the womb is a person, but I'm not sure." You could make the analogy of a hunter in the woods seeing movement in the trees. It might be a person, but he's not sure, it might also be a deer. What is the duty of the hunter in this situation? Should he shoot?

Option 2: "It's possible the life in the womb is not a person, but I'm not sure." You could make the analogy of a vandal who finds it fun to throw hand grenades through windows of houses. When confronted, he is asked "don't you realize someone could have been in that house and you could have killed them?" He may shrug and say he never checks, but just assumes they are empty. What is the moral state of this vandal? What is the duty of the public authorities towards this individual?

To summarize, if we can't be sure that the life in the womb is not a person, it seems that approval of elective abortion would make the proponent either gravely negligent (option 1) at best, or a reckless monster (option 2) at worst.

Therefore, I support HB 23-1119 based on reason and logic, and I urge you to support this bill as our representatives.

Respectively,

Michael Leins D.O.

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