



NEW YORK STATE SENATOR

Tony Avella

WEA Will Protect Reproductive Health

TONY AVELLA August 15, 2014

August 16, 2014, By Cecilia Tkaczyk

Many years ago, Sen. Daniel Patrick Moynihan said, "Everyone is entitled to his own opinion, but not his own facts."

More recently, members of the state Senate Republican Conference who are opposed to a woman's right to choose have been presenting their own distorted facts about the Women's Equality Agenda.

They have continually mischaracterized one of the planks of the WEA, which would only codify Roe vs. Wade in state law and ensure that women in our state can make their own reproductive health care decisions.

They say this provision would lead to an expansion of abortion in our state. They say it would allow partial-birth abortions and abortions in the ninth month of pregnancy. And they say the WEA would allow non-doctors to perform abortions.

None of this is true.

The WEA, in fact, has four specific provisions:

1. Codifying Roe vs. Wade in state law, allowing a woman to terminate a pregnancy up to 24 weeks or when necessary to protect the life or health of the mother;
2. Reinforcing the federal ban on partial-birth abortion in state statute;
3. Reinforcing a medical provider's right to refuse to perform abortions, and
4. Ensuring providers cannot be prosecuted for lawfully obeying these laws.

That is it.

The fact is that the WEA would not change how abortions are provided in New York or who can perform them. It simply mirrors current federal law to ensure women's health is protected as needed. It does not lift the ban on partial-birth abortions. It does not allow abortions in the third trimester unless a doctor has determined the mother's life or health is in danger.

Why is this legislative action necessary? You need look no farther than the U.S. Supreme Court's ruling in the *Burwell vs. Hobby Lobby* case. By finding in favor of Hobby Lobby, the court has allowed thousands of American women to be denied contraceptive insurance coverage. This case also sets a broad and dangerous precedent that can lead to further restrictions on women's fundamental right to access quality health care.

The conservative Supreme Court majority is demonstrating that it may overturn federal recognition of women's reproductive health care rights and allow states to determine their own statutes. And, because New York's abortion law was written in 1970, three years prior to *Roe vs. Wade*, women in our state would be subjected to an outdated law that does not include the protections women are currently guaranteed under *Roe vs. Wade*.

Perhaps the most disingenuous and disturbing lie being perpetrated by anti-choice Senate Republicans is that the WEA would reduce the standard of care for women and seriously jeopardize their health and safety. In fact, just the opposite is true. The WEA would protect women's health as well as their right to choose.

State Sen. Cecilia Tkaczyk, D-Duanesburg, represents the 46th Senate District.