



March 24, 2022

Honorable Douglas A. Ducey Governor
State of Arizona
1700 West Washington Street
Phoenix, Arizona 85007

Re: Veto request of SB1164: abortion; gestational age; limit

Dear Governor Ducey,

As the organizations that represent Arizona health care professionals and their patients, we are in strong opposition to any legislation that interferes with evidence-based, patient-centered care. SB1164, which would ban abortion care at 15 weeks gestation, improperly inserts politics into the patient-clinician relationship. At this time a woman's right to obtain an abortion, and a physician's right to perform such procedure when treating a woman desiring an abortion, are protected under the Constitution of the United States. See *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992). We oppose legislation intended to criminalize legal healthcare services for the following reasons:

- As SB1164 criminalizes currently legal healthcare services that are protected under the US Constitution, the law is unenforceable. A hypothetical US Supreme Court ruling that may or may not occur should not be the basis for a change to Arizona law.
- A physician's expert judgment, medical ethics, and the health and well-being of patients form the basis of all medical decisions, and this should not be infringed upon. SB1164 violates medical ethics by forcing a physician to choose between offering safe, legal medical care that is within their best medical judgement or risk losing their license and facing criminal penalties. The American Medical Association's Code of Ethics places the physician's ethical responsibility to put the patient's welfare above the physician's self-interest or obligations to others.
- The very foundation of the doctor-patient relationship is open, honest communication. If enacted, SB1164 would force healthcare providers to violate their principles of respect for patient autonomy and non-maleficence in order to avoid serious consequences such as criminal penalties or having their licenses revoked. The law should never interfere with the ability of a physician to offer appropriate treatment options.

- Major medical organizations, including the American Medical Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics and the American Academy of Family Physicians have consistently opposed policies that defy current well-established medical practice and scientific facts—as SB1164 does. Organizations representing physicians, nurses, and other health care professionals are united against bans like the one included in this legislation as fundamentally at odds with the provision of safe, legal and essential care, with scientific evidence, and with medical ethics.
- Pregnancy can be a high-risk time in a woman’s life. Safe and legal abortion care may be medically necessary to preserve a patient’s health or life. The exemption allowing for an abortion to save the mother’s life granted in SB1164 insufficiently addresses the serious conditions pregnant women may face such as mental health issues, valvular heart disease, pulmonary hypertension, diabetes, or blood clots. This legislation would force clinicians into an unconscionable choice: deny patients needed care or break the law.
- Our state is already facing widening and unsustainable access to health care, including a healthcare worker shortage, and in particular, an OBGYN shortage. Arizonans need policymakers to champion scientifically sound public health policies that make our state an attractive live and practice medicine.

Health care professionals see first-hand the harm restrictions on safe, legal medical care cause patients. Arizona patients must have access to high quality health care, without political interference, barriers, or delays. When laws enshrine ideas that are not legal and evidence-based, physicians are undermined in their ability to provide high quality health care. We urge you to reject this legislation for the health and well-being of Arizonan patients and the communities our physicians care for.

Signed,

Arizona Medical Association
 American Academy of Pediatrics- Arizona Chapter
 Arizona Academy of Family Physicians
 American College of Obstetricians & Gynecologists- AZ Section
 Arizona Healthcare Advocacy Coalition
 Arizona Osteopathic Medical Association

Cc: Christina Corieri, Senior Policy Advisor