

# Virginia abortion ultrasound measure becomes law

Janel Flechsig  
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Virginia legislation requiring abdominal ultrasounds for women seeking abortions was signed into law Wednesday by Governor Bob McDonnell.

The new law forces women to be given an ultrasound before receiving an abortion and requires all Virginia abortion providers to comply by July 1<sup>st</sup> or face a \$2,500 fine for each violation. Patients living within 100 miles of the clinic where the abortion is performed must wait 24 hours after the ultrasound before undergoing an abortion procedure. Patients must be offered the chance to view the ultrasound images, but cannot be forced to view them. In addition, abortion patients will be required to sign a release form stating they were given the opportunity to view the fetus, confirm its gestational age, and listen to its heartbeat.

Victims of rape or incest who reported the attacks to police are exempt but pregnancies in which the baby will suffer from birth defects or in which the mother's health is threatened are not. In cases where the fetus has died, the patient will still be required to undergo an ultrasound.

Three amendments aimed at forcing insurance companies to cover the additional cost of ultrasounds, or, in cases of indigent or uninsured patients, providing state support, were defeated. In each instance, Lieutenant Governor Bill Bolling cast the tie-breaking vote to reject the amendments.

The bill signed by Gov. McDonnell was amended from an earlier version that would have required transvaginal ultrasounds, an invasive procedure involving insertion of a wand into the patient's vagina, before an abortion could be performed. After the legislation provoked widespread public outrage and protests, McDonnell and Senator Jill Holtzman Vogel, the bill's original sponsor, withdrew their support. The revised version of the bill was approved 21 to 19 by the

Virginia Senate last Tuesday, with support divided mainly along party lines.

Despite changes to the bill, protests continued outside the Virginia legislature culminating in the arrest of 30 demonstrators on Saturday. Molly Vick, a consultant and mother who joined the protests, reacted to the news of the bill's passage with anger. She told the *Elizabethton Star*, "I am horribly disappointed. We are not going to just go off quietly into the night. They just made an activist out of me."

In a statement announcing his signature, Gov. McDonnell said, "As difficult as an abortion decision is, the information provided by ultrasounds, along with other information given by the doctor pursuant to current law and prevailing medical practice, can help the mother make a fully informed decision."

Despite the governor's statements, the ideologically motivated law has nothing whatsoever to do with the health and safety of the patient. It is intended solely to shame and intimidate women and health care professionals and erode access to a legal medical procedure. Additionally, the law will impose hundreds of dollars in additional costs for what is already an expensive procedure.

Planned Parenthood Advocates of Virginia, the American Civil Liberties Union and other opponents of the legislation have not indicated whether they will pursue a legal challenge to the law, though Planned Parenthood Federation of America President Cecile Richards characterized the law as "an appalling and offensive government overreach."

Prior to the passage of the current law, the Virginia legislature had considered numerous other abortion-related bills in the current session, including several "personhood" and "unborn child protection" bills which attempted to reclassify abortion as a form of

murder. Virginia is not alone in its assault on access to family planning services and women's health care however. According to the Guttmacher Institute, 20 states currently regulate the provision of ultrasounds by abortion providers including:

- Seven states that mandate an abortion provider perform an ultrasound on each woman seeking an abortion, and require the provider to offer the woman the opportunity to view the image.
- Nine states that require that a woman be provided with the opportunity to view an ultrasound image if her provider performs the procedure as part of the preparation for an abortion.
- Five states that require that a woman be provided with the opportunity to view an ultrasound image.

The Pennsylvania legislature is currently considering an ultrasound requirement that is as onerous as the Virginia law, and Florida Governor Rick Scott signed a similar ultrasound bill into law last June. Recent abortion ultrasound requirement laws in Texas and North Carolina have been challenged in court.

Additionally, in the past two years, lawmakers at the state and federal levels have attempted to block all public funding to Planned Parenthood and restrict access to abortion. In 2010-2011, six states enacted 20-week abortion bans and thirteen have passed insurance coverage bans on abortion services. Largely motivated by limiting abortion access, funding for women's health care in Texas was slashed by two-thirds last year, resulting in the closure of over a dozen clinics, leaving hundreds of women, who are mostly poor or uninsured, without access to crucial health care services such as cervical cancer screenings, breast exams, or access to birth control. In addition, Republican Governor Rick Perry has promised to refuse \$35 million in federal Medicaid grants for women's health care services because some of the money may go to Planned Parenthood, an abortion provider.



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