

Missouri officials tracked women's menstrual periods in effort to shut down state's last abortion provider

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13 November 2019

Missouri's Department of Health and Senior Services director testified at an October 29 administrative hearing that the state had used a spreadsheet to track the menstrual periods of about 70 women. Dr. Randall Williams said that the women tracked had been patients at the Planned Parenthood health clinic in St. Louis, the state's last remaining abortion provider.

The hearing was held to decide whether or not the clinic would remain open. If closed, it would make Missouri the first state in decades not to house a single abortion provider within its boundaries, forcing residents to cross into neighboring states such as Illinois to legally obtain medically safe abortions, or to do without the constitutionally protected procedure.

Lawyers for Planned Parenthood discovered the spreadsheet attached to an email with the subject line "Director's Request," referring to Williams, although Williams has denied personally requesting or seeing the spreadsheet before the hearing.

State health officials said they had a legal obligation to collect that information and were using the data as part of an effort to investigate evidence of any failed abortions at the clinic. They also kept track of patients' previous medical procedures and the gestational age of their fetuses. The spreadsheet contained confidential, non-medical information, such as patients' names and medical ID numbers, which could be used by the state to identify and locate them—effectively spying on patients.

The department said that it wanted to determine whether any patients returned to the Planned Parenthood location because their abortion had failed and if the clinic had properly reported those incidents. The state found just four incomplete abortions out of a

total of 3,000 provided by the clinic in 2018.

The collecting of patient data in an effort to bolster the state's case for severely restricting citizens' access to reproductive health services is a violation of fundamental privacy rights guaranteed in the Fourth Amendment of the US Constitution. The revelation of the tracked data points to the lengths Missouri officials are willing to go to end women's right to abortion within state boundaries.

In May 2019, Missouri became the sixth state in the US to pass "heartbeat" legislation, which makes abortions illegal as soon as an embryonic or fetal heartbeat can be detected. Missouri's HB 126 would ban abortions at eight weeks of pregnancy, before many women even know they are pregnant, and grants no exceptions for women who become pregnant as the result of rape or incest. Exceptions would only be granted in the case of a medical emergency posing a risk to the woman's life or health.

The state appealed to a higher court in an attempt to win a different ruling after a federal district court judge in Kansas City blocked the ban from taking effect in August.

Dr. Colleen McNicholas, an obstetrician-gynecologist and chief medical officer of Planned Parenthood in St. Louis, criticized the blatant political aims of the state's use of patient's private information. In an interview published in the *Washington Post* Sunday, she said, "This isn't the first time the administration of [Republican governor] Mike Parson has barged into our exam rooms to try to regulate abortion out of existence. A long-standing state regulation required a pelvic exam before abortions, as part of a doctor's evaluation of the patient. But that rule was obsolete: We now date

pregnancies using ultrasounds, and medication abortions have become more common.”

McNicholas also stated that as a health professional she found “no medical reason” for the state to collect such information and pointed out that while the state has access to this information, its purpose in using the information to shut down an abortion provider is a gross abuse of power.

In an attempt to keep a cap on working-class outrage erupting against the state as a result of the revelations, leading Democratic Party officials in the state of Missouri have joined Planned Parenthood in denouncing the state government’s overreach of its power.

House Minority Leader Crystal Quade, a Democrat, called on Governor Parson to investigate whether patient privacy laws were violated as a result of obtaining and using the information and to determine whether Williams should step down from his position as the department’s director.

Democrats like Quade know that such appeals to the very governor who vowed to sign HB 126 will go nowhere. The Democratic Party is not a champion of abortion rights. From 2011 to 2014, laws passed to restrict access to abortion across the United States skyrocketed and reproductive health clinic closures continued unabated under the Obama administration.

During that period, 231 abortion restriction laws were enacted by states, including required waiting periods, state-mandated counseling, and parental consent, all meant to pave the way for state laws banning abortion outright.

According to the *Washington Post*, 162 clinics which provided abortions to patients were closed between 2011 and 2016, while only 22 new clinics opened, threatening to return abortion rights back to before *Roe v. Wade*, the landmark US Supreme Court decision in 1973 that legalized the right to abortion. The new laws particularly target the rights of working-class women, who do not have the means to travel long distances to obtain an abortion. A *Bloomberg* analysis stated that “at no time since 1973 ... has a woman’s ability to terminate a pregnancy been more dependent on her zip code and financial resources to travel.”

The restriction of access to safe and legal abortions and reproductive health services is a part of the bipartisan counterrevolutionary attack on the social

rights of the working class. Like the attacks on the right to public education, retirement, healthcare benefits and vital public infrastructure, the assault on reproductive rights is a part of the ruling class strategy to deepen social and economic inequality.

The right to reproductive health and privacy requires a fight for socialism, mobilizing the broadest sections of the working class against both the Republican and Democratic parties, who serve the interests of the ruling elites.



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