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Teaser: How the Texas Abortion law restricts the rights of women.

Abortion Bill Erases Autonomy

Women's abortion rights have been repeatedly compromised by the state of Texas. Since 1977, four years after Roe v. Wade's passed into law. According to [AVOWtexas](#), "The Hyde Amendment (1977) withholds abortion coverage from those qualified and enrolled in Medicaid health insurance program." States were allowed to use funds from Medicaid to cover abortion; Texas cut off said funds immediately. Due to lack of coverage from the Hyde amendment, [Rosie Jimenez](#) from McAllen, Texas, died from unsafe abortion complications.

The Hyde amendment was one of the first laws to obstruct women's freedom. [Rep. Henry Hyde](#) himself, among other members against abortion, "revealed their contempt for and mistrust of women." The amendment "includes exceptions for life, rape, and incest, but not for the health of the mother." Despite its lack to support the health of the mother, the amendment was deemed constitutional.

With the Casey vs. Planned Parenthood case (1992), the Supreme Court ruled that states could regulate and restrict abortion, as long as said restrictions don't impose an "undue burden" on abortion access. "Undue Burden" as defined by the court, is a "substantial obstacle in the path of a woman seeking an abortion before the fetus attains viability." This case, along with Roe vs. Wade states that a woman has the right to abortion any time prior to fetal viability, which is around 24 weeks.

In 2004, Texas passed the "Women's Right to Know" act which required doctors to provide dissuading information in the form of booklets, as well as sponsoring anti-abortion organizations for counseling 24 hours before a woman's abortion. This Act made it difficult for patients to go through with their decisions comfortably. In 2005, the [24-week ban](#) was enacted, banning abortion care after 24 weeks since the patient's last menstrual period.

That same year, Texas would fund anti-abortion clinics through the [Alternatives to Abortion program](#), offering services to pregnant people that promote pro-life sentiments. Services would include "Counseling, mentoring, educational information and classes on pregnancy, parenting, adoption, life skills, and employment readiness." Programs like these spawn anti-abortion propaganda since they encourage patients to follow through

with pregnancy to delivery whether or not they are ready to sustain a child.

Texas passed a law in 2005 that required pregnant teens under the age of 18 to get parental consent in order to receive an abortion. This was significantly difficult for young teens who did not want to tell their parents out of fear of being disowned or kicked out, thus placing an undue burden upon them. [Planned Parenthood](#) helps teens in that exact situation.

On their website, the organization provides step-by-step guidance on what pregnant teens can do if they do not want to tell their parents. However, in 2011, under the Affiliate Ban, Texas cut state funding to Planned Parenthood's family planning clinics and did not include them in the [Medicaid Women's Health program](#). This made it even more strenuous for pregnant women to receive care.

In 2013, Texas passed a four-part [HB2 Omnibus Abortion Bill](#) which included even more restrictions on pregnant patients. Half of this bill required abortions to be performed in ambulatory surgical centers and that doctors had to have active admitting privileges at a hospital within 30 miles. However, these two major provisions were struck down by the Supreme Court due to the undue burden on women.

These are just some of the several abortion laws created by Texas. The most recent bill, known as the "[Heartbeat Bill](#)," signed by Gov. Greg Abbott went into effect on Sept. 1st. This law blocks an abortion at six weeks gestation, which is supposedly when the embryo's heartbeat can be detected in an ultrasound.

However, most medical professionals and reproductive health experts say that an embryo does not have a developed heart at six weeks. For example, Dr. Nisha Verma, a physician and fellow at the American College of Obstetricians and Gynecologists, said in a [Texas Tribune interview](#) that "the activity measured on an ultrasound in early gestation is electrical impulses, not a true heartbeat." This indicates that the law is medically inaccurate.

In addition, most women aren't even aware that they are pregnant at that stage. According to [CNN](#), about 50% of pregnancies are unplanned, and people can't even get an accurate pregnancy test until six weeks. Women also don't know they're pregnant at the six-week stage because of the lack of symptoms and because periods can be extremely unpredictable. The combination of these factors should be enough to deem the law ridiculous.

However, the law's format creates a loophole allowing private citizens to enforce the law by suing "anyone even remotely connected to getting someone an abortion...excluding the pregnant person" according to a [Los Angeles Times article](#). These "private citizens" could be anyone objecting to said abortion. Cases where the woman was impregnated due to rape or incest, are not exempt from this bill either.

This new law weaves its way around the 24-week federal precedent deemed by Roe vs. Wade case and Casey vs. Planned Parenthood. Due to this, the new ban is not

only inaccurate but unconstitutional. The only likely way to save women's autonomy over their bodies is if Congress intervenes.

If Congress codified the tenets of Roe vs. Wade, it would prohibit any loopholes. The House and the Senate both put out the same bill: "The Women's Health Protection Act — which would not just guarantee the right to an abortion but would outlaw the absurd and unnecessary restrictions that states have on [people] and abortion providers." These bills have not yet been voted on but the House bill has 205 cosponsors according to the Los Angeles Times.

The new abortion bill seems to do more harm than good as it again, compromises the rights of women. Abortion restrictions are often disguised as "protectors of life," yet they undermine the autonomy of women's lives. In terms of weaving around legal loopholes, this new bill is a snake in the grass.