

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Mary Pilcher-Cook at 1:30 pm on Monday, February 02, 2015, 118-N of the Capitol.

All members were present except:

Senator David Haley – Excused

Committee staff present:

Iraida Orr, Legislative Research Department

Randi Walters, Kansas Legislative Committee Assistant

Whitney Howard, Legislative Research Department

Renae Jefferies, Office of Revisor of Statutes

Nobuko Folmsbee, Office of Revisor of Statutes

Conferees appearing before the Committee:

Elise Higgins, Kansas Manager of Government Affairs, Planned Parenthood

Julie Burkhart, CEO, Trust Women Foundation and South Wind Women's Center

Melissa Tovar-Ohlson, private citizen

Tom Tongier presenting for Dr. Bruce Price

Senator Garrett Love

Kathy Ostrowski, Legislative Director, Kansans for Life (KFL)

Michael Schuttloffel, Executive Director, Kansas Catholic Conference (KCC)

Anthony Levatino, M.D., J.D.

Others in attendance:

[See Attached List](#)

Hearing on: SB95 — Creating the Kansas unborn child protection from dismemberment abortion act.

Chairperson Pilcher-Cook opened the hearing on **SB95**. Renae Jefferies, staff revisor, reviewed the bill.

Elise Higgins, Planned Parenthood, testified in opposition of **SB95**. Ms. Higgins stated that **SB95** will harm Kansas women, create inappropriate interference of politicians into the doctor-patient relationship, and cost Kansas taxpayers. ([Attachment 1](#))

Julie Burkhart, Trust Women Foundation and South Wind Women's Center, testified in opposition of **SB95**. Ms. Burkhart stated that this bill greatly interferes with qualified physician's ability to deliver reproductive health care to their patients. She also indicated that she attached a report to her written testimony, Dennis A, Bridgit B, Douglas-Durham E. *Experiences with health care and public assistance in states with highly restrictive abortion policies, State Brief: Kansas*. Ibis Reproductive Health; September 2014. ([Attachment 2](#))

Melissa Tovar-Ohlson testified in opposition of **SB95**. Ms. Tovar-Ohlson stated that she is one of the thousands of Kansas women who have faced an unintended pregnancy and who have made the personal decision to have an abortion. She stated that she stands here today as an advocate for every

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other Kansas woman who may be confronted with this choice. ([Attachment 3](#))

Tom Tongier, representing Dr. Bruce Price, testified in opposition of **SB95**. Dr. Price's written testimony stated that **SB95** further limits the physician's ability and judgment when taking care of patients. This will have a chilling effect on the medical profession and further marginalize women who are in need of abortion care. ([Attachment 4](#))

Senator Garrett Love testified in support of **SB95**. Senator Love described seeing the sonograms of his daughter, Abigail, at 11 weeks and again at 19 weeks. He stated that at both of those sonograms, they saw their little girl. She had arms, legs, fingers, toes, and a beating heart. Senator Love stated that while he has always worked to protect the most defenseless among us, those moments really hit him as he realized that babies at both of those points in those pictures can go through this dismemberment abortion where their arms and legs are torn off to kill them. ([Attachment 5](#))

Kathy Ostrowski, KFL, testified in support of **SB95**. Ms. Ostrowski stated that **SB95** carefully delineates dismemberment abortion to exclude suction abortion. She stated that we're talking about a procedure that's done intentionally on a living, unborn child by grasping, yanking, and ripping apart. Ms. Ostrowski stated that **SB95** also includes a medical emergency exception, criminal and civil penalties, and privacy protection for court proceedings. ([Attachment 6](#))

Michael Schuttloffel, KCC, testified in support of **SB95**. Mr. Schuttloffel stated that they strongly support the bill. He referred the committee to his written testimony stating that they will let their written testimony stand on its own so as to give the next conferee more time. ([Attachment 7](#))

Dr. Anthony Levatino testified in support of **SB95**. Dr. Levatino testified via Skype stating that by 1980, during the time when he and his partner had a private practice, they did not run an abortion clinic, but abortion was definitely part of their practice. He continued his testimony by describing a D&E abortion. Dr. Levatino stated that he thinks the practical effect of **SB95** will be to encourage women who are contemplating abortion to seek an abortion at much earlier stages of pregnancy which will enhance safety and create fewer complications both for those women and for the physician performing these procedures. ([Attachment 8](#))

Written testimony in opposition of **SB95** was submitted by:

Dr. Micah Kubic, American Civil Liberties Union ([Attachment 9](#))

Paul Brink ([Attachment 10](#))

There being no further conferees, the hearing on **SB95** was closed.

Bill introductions

Senator LaTurner introduced a bill concerning the State Board of Healing Arts regarding podiatrists' scope of practice. With no objection, the bill was introduced.

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Senator Kelly introduced a bill concerning programs for all-inclusive care for the elderly. With no objection, the bill was introduced.

The meeting was adjourned at 2:16 p.m.

The next meeting is scheduled for February 3, 2015.