

Approved 4 - 1 - 91
Date

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

The meeting was called to order by Sen. Edward F. Reilly, Jr. at
Chairperson

11:00 a.m. ~~p.m.~~ on March 27, 1991 in room 313-S of the Capitol.

All members were present ~~except~~:

Committee staff present:

Mary Galligan, Legislative Research Department
Deanna Willard, Committee Secretary

Conferees appearing before the committee:

Artie Lucas, Executive Director, Kansas Family Institute
Bob Runnels, Executive Director, Kansas Catholic Conference
John Holmgren, Catholic Health Assoc. of Kansas
Carolyn Matlock, Madison, Kansas
Dr. Nancy L. Toth, Topeka, Kansas
Kenda Bartlett, Concerned Women for America
Pat Goodson, Right to Life of Kansas
Kent Vincent, Attorney, Topeka, Kansas
Thomas Zarda, Knights of Columbus
Rev. John Yeats, Kansas/Nebraska Convention of Southern Baptists
Virginia Leonard, Auburn, Kansas
Mary V. Marks, Kansas City, Kansas
Susan Wilcox, Overland Park, Kansas

Hearing for proponents on: SB 147 - Parental Notification before performing abortion on a minor.

Artie Lucas, Kansas Family Institute, spoke for the bill, saying it places the rights and responsibilities of parenting back with the family where they belong. (Attachment 1)

Bob Runnels, Kansas Catholic Conference, spoke in favor of the bill, saying it would help young people lead more responsible lives and citing figures showing this legislation had a positive impact in reducing teenage pregnancy in Minnesota. (Attachment 2)

John Holmgren, Catholic Health Association, spoke in support. He said their hospitals are concerned for these young women, as are the social workers and those in pastoral care. He feels the judicial bypass is fair.

Carolyn Matlock, Madison, said she had appeared last year shortly after her daughter's abortion and that it still hurts. She said it has left an aftermath in their family. She is standing up for "Baby Jenny." She spoke of all the people who went out of their way for a child and a baby they had never met. She said her rights as a grandparent were taken away.

Dr. Nancy Toth said the adolescent age group is generally self-conscious in the medical setting and often cannot cite their medical history, that abortion is not a trivial procedure and should be governed by the same principles as any other surgical procedure. She included an article from the "Kansas City Star" detailing complications suffered by patients of Dr. Dennis Miller who practices at Comprehensive Health in Overland Park. (Attachments 3 & 4)

Kenda Bartlett, Concerned Women for America, asked, "How is it we are so responsible for our children in every other way, but in this one area...?" Her testimony included a quote from Justice Stevens,

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs,
room 313-S Statehouse, at 11:00 a.m./~~p.m.~~ on March 27, 1991

in H.L. v. Matheson saying, "A state legislature may rationally conclude that most parents will be primarily interested in the welfare of their children." (Attachment 5)

Pat Goodson, Right to Life of Kansas, said the bill clarifies existing law that is now only being selectively enforced. (Attachment 6)

Kent Vincent, Topeka, said two areas of constitutional concern are ruled out with the provisions of SB 147: 1) The U.S. Supreme Court upheld a 48-hour waiting period; and 2) In the Minnesota law the judicial bypass was required because of the overriding concern for two-parent notification.

Thomas Zarda, Knights of Columbus, said this is a "parental rights" bill and quoted the Supreme Court, 1979, "the guiding role of parents in the upbringing of their children justifies limitations on the freedoms of minors." (Attachment 7)

Pastor John Yeats, Kansas/Nebraska Convention of Southern Baptists, urged the committee to take the leadership role in reaffirming and reestablishing parental responsibility and parental rights in this very intimate family area. (Attachment 8)

Virginia Leonard, Auburn, Kansas, displayed a picture of her teenage daughter, saying this was the reason she was speaking. She said children don't need another legal basis for ignoring the role of authority that their parents represent. Included with her testimony were several pages of information and clippings she wished the members to read. (Attachment 9)

Mary Marks, Kansas City, urged passage of the bill for integrity of the family, health of the woman, and public support for required notification. (Attachment 10)

Susan Wilcox, Overland Park, said she was testifying out of a sense of duty after her personal sad experience convinced her that the laws of Kansas are promoting injustice and are damaging the basic social unit, the family. (Attachment 11)

Written testimony was submitted by Cleta Renyer, Right to Life of Kansas, which said the abortion rights advocates prescription is a threat to healthy families and does nothing to correct those that are dysfunctional. (Attachment 12)

Written testimony was submitted by Gary Grimes, Olathe, urging passage as a process of restoring the rights of the parent. (Attachment 13)

The meeting was adjourned at 12:05 p.m.

GUEST LIST

COMMITTEE: Sen Fed + State

DATE: 3-27-91

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
John Yeats	Topeka	Committee on Public Affairs Kansas/Nebraska Southern Baptist
Tim Gassmann	Overbrook, KS	Kansans for Life ^{OS.}
PAT HOLLOMON	TOPEKA, KS	
FRED HOLLOMON	" "	
Jim McKelvey	Topeka	observer
BARBARA REINERT	"	LWVKs
Trisha Gassmann	Overbrook, KS	Kansans for Life ^{OS.}
Travis Gassmann	Overbrook, KS	"
Debbie Gassmann	Overbrook, KS	Kansans for LIFE
Kelly Kuitala	KCKS	NOW
Madeline Heim	Lawrence, KS	pro-choice concerned citizen
Darlene Fern Stearns	Topeka	RCAC in KS
Will Belden	Topeka	LWVK
Jennifer Brandberry	Topeka	Pro-choice Activist
Marian Shapiro	Hays	Planned Parenthood
Connie Espinoza	Topeka	concerned citizen
Alexis Luther	Topeka	observer
Sarah F. Fitzpatrick	Lawrence	KU
Thomas McBride	Lawrence	observer
Jeri Bell	Lenexa	KU
Barbara Latham	Shawnee	KU
Angela Latham	Shawnee	student
Nancy L. Jock MD	Topeka	KFL
Carol Cavell	Topeka	pro-life concerned citizen
Kathy Leonard	Auburn	mother-conferer

GUEST LIST

COMMITTEE: _____

DATE: _____

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Vonda Wiedmer	Madison	Madison Right to Life
Carolyn Matlock	Madison	Madison Right to Life
Kevin Yowell	Overland Park	Kansans For Life
SUSAN DURAN	Topeka	KANSANS For Life
Stan Friesen	Overbrook	OS County, KFL
Ken Willard	Topeka	Concerned Citizen
Tara Willard	Topeka	Adopted Child For Life
Cecil D. Kramer	Lyndon	Os. County, KFL
Marcellz C. Hillmer	Topeka	Kansans For Life
Walter Klein Hillmer	Topeka	Family Action Network
Kent Vincent	Topeka	
Mary Goodin	Clay Center, KS	Clay County For Life
Edna Hatfield	Clay Center, KS	Clay County For Life
Phyllis Rosenow	Green, KS	Clay Co. for Life
Don Rosenow	Green, KS	Clay Co. for Life
Alon Weldon	Wichita, Kansas	Kansans For Life
Mary Ann Grelinger	Kansas City, KS 66104	Right to Life of KS
Becci Akin	O.P., KS	
Kim Schumm	Manhattan, KS	mother
Sharon Smith	St. Riles, KS	mother
Shirley Putman	Topeka	
Dianne Gates	Topeka	Kansans for Life

TESTIMONY BEFORE THE SENATE
FEDERAL AND STATE AFFAIRS COMMITTEE

SB 147
PARENTAL NOTIFICATION

MARCH 27, 1991

ARTIE LUCAS
EXECUTIVE DIRECTOR
KANSAS FAMILY INSTITUTE

Senate F&SA
3-27-91
Att. 1

Mr. Chairman and members of the committee, thank you for this opportunity to come before you to speak in favor of this bill. Last year when I came before you on a similar bill, I was hopeful that the issue of parental rights would have been now resolved; but, sadly it has not.

I will not belabor you with the different aspects of the bill, as there are others who will follow who will be discussing those items; but I would bring before you the principal reason behind the bill's introduction and why so many across our great state are in support of it's passage.

This bill, plain and simply deals with the right of parents to be involved in the lives of their minor children when they are confronted with crucial decisions and life threatening situations. It has long been the law of Kansas that parents maintain that right until, according to K.S.A. 38-1583

When the child has been adjudicated to be a child in need of care, the court may terminate parental rights when the court finds by clear and convincing evidence that the parent is unfit by reason of conduct or condition which renders the parent unable to care properly for a child and the conduct or condition is unlikely to change in the foreseeable future.

The U.S. Supreme Court also has recognized parental nurture and direction of children as not only a right, but also a duty:

"(t)he child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."(1)

Children, the Supreme Court said in June 1988, are generally more vulnerable and less mature than adults:

"Inexperience, less education, and less intelligence make the teenager less able to evaluate the consequences of his or her conduct while at the same time he or she is much more apt to be motivated by mere emotion or peer pressure than an adult."(2)

It is precisely for this reason that laws are enacted to protect children and support parents in the discharge of their parental responsibilities. The state has an important interest in protecting parents' rights, and so it should. The Constitution guarantees parents the right to select the school which their children will attend. There are laws protecting parental access to their children's school records, parental permission for school trips, health treatment and remedial care provisions. Children are not allowed to drink alcohol or drive an automobile until they reach a certain age.

Time and time again, our legislatures and courts have recognized the importance of the family and parents' responsibility for the welfare of their children.

"...the guiding role of parents in the upbringing of their children justifies limitations on the freedoms of minors," the court stated in 1979.(3)

In one critical decision regarding their children's lives, however, that can have both long term and life threatening results, parents in Kansas have been denied any role. This is in the area of minors receiving abortions.

Laws allowing for parental involvement are a constitutional means of properly balancing not only the state, but also the family and individual interest. On this issue, the legislature should be consistent with present law that protects and supports parental childrearing rights, not embrace an attitude that promotes physical, mental and emotional abuse of our youth.

"To allow the state to strip the parents of their natural and legal authority to act as father and mother in this instance is to undermine the authority and integrity of the family. Most parents rightly recognize the potentially traumatic nature of a teen pregnancy, and will provide the necessary parental love and advice that, after all is what families are for."(4)

The Kansas Legislature currently ignores existing statutes allowing parents to be primarily involved in their children's lives; and turns a deaf ear to the outcry of a vast majority of Kansas residents who have asked that you make provision for parental knowledge, reflection time, or consent regarding their children's abortion decisions. Parents are being denied the right to know, and they are angry!

In the Kansas survey conducted for the Wichita Eagle a year ago, a strong majority(82%) said they favored legislation requiring girls under 16 to have their parents' consent for an abortion. When the age was raised to 18, the support was still a significant majority(67%). The recent Gallop Poll reported that 67% of those asked in a nation-wide poll, were in favor of requiring women under 18 years of age to get parental consent before they are allowed an abortion. These are just a few of the many polls from throughout our state and nation which have continually produced the same results. Unfortunately, the media and special interest groups often skew the results of polls to make it appear they say something they do not; these poll results are both clear and unequivocal. Your constituents want their rights as parents returned to them.

While I do not believe we should have government by poll, I do believe that the expressed attitudes and feelings of our populace should be a primary consideration when laws are being enacted.

Without the advice and counsel of their parents, without the proper medical history often needed, without the love and guidance of family members, children today are at great risk of physical and emotional scars. This fact is already recognized in the Kansas Code For Care Of Children where it states in K.S.A. 38-1501 "...to that end that each child within its provisions shall receive the care, custody, guidance control and discipline, preferably in the child's own home, as will best serve the child's welfare and the best interest of the state."

Physically, minors who abort their first pregnancy rather than carry to term encounter greater risk of complications in future pregnancies.(5) Psychologically, minors are much more susceptible than older women to the anxiety, depression, guilt and regret which often follows an abortion.(6) Numerous articles have documented the link between adolescent abortions and suicide.(7)(8)(9)

Families deserve private time and space to review and discuss such a critical decision as abortion. An adolescent being asked to make such a decision is entitled to guidance from concerned and caring family members to "protect them against their peculiar vulnerabilities"(10), rather than their having to rely on the "...guiles of abortion clinic personnel offering quick fixes or the suggestions of their peers.(11)In other situations, parents are entitled to choose the best medical care for their children, why not here?

As the state's lawmakers, you are continually making decisions that affect people's lives; it is important that you try to do what is right. I believe the state has an important interest in protecting parents' rights. This bill does not go as far as surveys indicate the people of Kansas want; but, a requirement for parental notification is a reasonable request and reflects judicial findings. I also recognize that passage of this legislation will not entirely address or alleviate the teenage pregnancy problem. We will need, also, to provide support--comfort, counselling, education, encouragement, and, where necessary, financial assistance--if we are, eventually, to satisfactorily attack this social heartache.

The family has been a cornerstone of Kansas' society since before our state was founded. This bill places the rights and responsibilities of parenting back with the family where they belong.

On the South lawn of our Capitol, stands an imposing statue of The Pioneer Woman. As she clutches her child to her breast, ever vigilant to protect her family from any and all harm. Just as Kansas parents of old wanted to protect their children, so also today they stand ready to do the same. Please don't deny them that right, Mr. Chairman and committee members, I would ask you to respect the request of the majority of Kansans and pass SB147. Thank you.

REFERENCES

- (1) Pierce v. Society of Sisters, 268 U.S. 510, 535 (1925)
- (2) Thompson v. Oklahoma, 108 S.Ct. 2687 (1988)
- (3) Bellotti v. Baird 443 U.S. 622, 637 (1979)
- (4) Albany Times Union, Editorial (March 8, 1988)
- (5) Chung, et al, "The effects of enduced abortion on subsequent reproductive function and pregnancy outcome," Papers of the East-West Institute, Number 86, June 1983.
- (6) Cates, "Adolescent Abortions in the United States," Journal of Adolescent Health Care 18 (1980).
- (7) Adler & Dolcini, supra, at 84.
- (8) J. Gallagher, F. Heald & D. Garrell, supra, at 244.
- (9) Tischler, Adolescent Suicide Attempts Following Elective Abortion: A Special Case of Anniversary Reaction, 68 Pediatrics 670 (1981).
- (10) Bellotti II, 443 U.S. at 3643.
- (11) J. Burtchaell, supra, at 41-44.

TESTIMONY

S.B. 147

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE
Wednesday, March 27, 1991 - 11:00 a.m.
KANSAS CATHOLIC CONFERENCE
by: Bob Runnels - Executive Director

I preface my testimony with a quote from the Supreme Court in June 1988:

"Inexperience, less education and less information make the teenager less able to evaluate the consequences of his or her conduct while at the same time he or she is much more apt to be motivated by mere emotion or peer pressure than is an adult."

It is precisely for these reasons that laws are enacted to protect children and support parents in the discharging of their parental responsibilities.

Senate Bill 147 is about parents and children communicating. If you believe in the value of the family as the basic unit of our society you must support this legislation that requires from both, a parenting and child responsibility.

This bill (like all good legislation) creates a responsibility that has a proven track record of helping young people lead more responsible lives.

The principle of parental involvement must be paramount in a child's life. A child with a pregnancy problem needs the strong support of parents during perhaps the most frightening challenge a child would have to face in her young life.

It is inconsistent with reality not to have parental support during this trying pregnancy period.

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Does Parental Notification work, consider. In 1981 the State of Minnesota passed a Parental Notification Law requiring minors to inform their parents or guardians prior to obtaining an abortion. Data obtained from the Minnesota Department of Health indicates that this legislation had a positive impact in reducing teenage pregnancy; between 1980 and 1984, the following decreases took place:

births decreased	from 2,033 to 1,654
abortions decreased	from 2,327 to 1,395
pregnancies decreased	from 4,360 to 3,049

These figures represent a 7.9% drop in the birthrate, a 32.2% drop in the abortion rate, and a 20.9% drop in the pregnancy rate for teens under the age of 18. Geographic considerations of the State of Minnesota reduce the likelihood that out-of-state abortions accounted for this decrease.

Second, in a report on School Based Health Clinics researched in 1986, a similar trend of decline in teenage pregnancies for Massachusetts was noted in a slightly broader age group, teenagers aged 15-19; between 1981 and 1984, the following decreases took place:

births decreased	from 7,334 to 6,932
abortions decreased	from 10,179 to 7,332
pregnancies decreased	from 17,513 to 14,254

Based on population figures, these numbers reflected a decrease in the abortion rate from 39/thousand to 31/thousand and a decrease in the pregnancy rate from 67/thousand to 60/thousand, with the birth rate remaining relatively

unchanged. This data seems to suggest a distinct correlation between the legislation and a sustained decrease in teenage pregnancy.

Furthermore, a 1986 Harris survey conducted for Planned Parenthood revealed that teenagers believe that fear of disease, the impact of a pregnancy on one's future and consideration of parental reaction are the 3 reasons most likely to convince their peers to delay sexual activity. Clearly, parental involvement plays a key role in reducing teenage sexual activity and subsequent pregnancy.

Around the country each time a parental notification bill, or any pro-life legislation has begun to show signs of possible passage, those who oppose life bills try to gut the legislation by proposing that it apply to only those below 16 years of age. They know most teenage abortions take place with young girls who are 16 or 17 years of age. The number of 15, 14, and 13 year olds getting abortions is very small. Following are some basic principles of law that demonstrate why parental notification for an abortion should apply to those below 18 years of age.

1. The state has determined that a minor is not responsible enough to buy and consume alcohol until they are 21 years of age.
2. A minor cannot buy cigarettes until the age of 18.
3. A parent is responsible for the care and basic needs

of a child until he or she reaches the age of 18.

4. A parent is held responsible for any vandalism that a minor does until age 18.
5. A parent is held responsible for medical bills for a child until 18.
6. If a minor runs away from home, he or she can be made a ward of the court and put into a foster home until age 18.
7. In order to get married before 18 a minor must get the written consent of a parent.

A vote in favor of S.B. 147 is one of support for family values. We must preserve this very basic unit of our society.

Sources:

Minnesota Department of Health
Massachusetts Department of Health

Presenter: Dr. Nancy L. Toth, Family Physician
Graduate of Kansas University Medical School
Family Practice Residency at Scott Air Force Base
Board Certified in Family Practice 1979

Purpose: To discuss the immaturity of minors

Informed consent is a concern of every practicing physician in the state of Kansas. This is true not only because of the malpractice climate, but also because it is important that the patient understand the procedure, its risks vs. benefits and alternative forms of treatment in order for the patient to help determine what is best for her. As the law stands now, it is assumed in this one area of abortion that a teenage minor alone can make an informed, mature medical decision that is in her best interest. Senate Bill No. 147 and I disagree with this presupposition.

In my experience as a physician, I have found it particularly difficult to communicate with the adolescent age group (12 to 18). In the medical setting this group is generally quiet, reserved, embarrassed, and self-conscious, offering only minimal information when questioned. Many times they are unable to cite their own past medical history with any accuracy, or even give much history as to why they are present in the office, usually depending on the parent to explain the problem. They are generally not aware of drug sensitivities, allergies or past immunization status, information that parents ordinarily possess. Nevertheless, this medical information is important to the physician as he or she makes decisions regarding the adolescent patient's care. It is hard to assess how much of what has occurred in the office teenagers understand. They tend to have difficulty in articulating what was just explained to them, let alone transmit this information later to a parent. This results in follow-up phone calls from parents wanting to know what transpired in the office. Of course, the older the patient is, the less of a

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problem this is.

The preponderance of psychological literature and the operating premise of most counselors support the fact that adolescents are immature in their perception of life and their decision-making process. There are two major characteristics of this age group which have traditionally caused them to be considered immature resulting in a legal age limit of 18 or over being legislated in other areas, i.e. marriage, voting, access to alcoholic beverages and cigarettes.

The first is an inability to think through the consequences of their actions. Car accidents, drug abuse and suicide are all very high among teens and young adults, partially due to this trait. It is typical for this group to be interested in immediate gratification of their desires and immediate relief from painful or frustrating situations and to exhibit much less concern for long term ramifications. Little thought is given to the serious and sometimes permanent medical complications of abortion which occur in 20 to 30% of patients:

- | | |
|-------------------------------------|-------------------------|
| 1. Genital tract infections | 6. Bleeding |
| 2. Hemorrhage requiring transfusion | 7. Embolism |
| 3. Perforation of uterus or bowel | 8. Ectopic pregnancy |
| 4. Varying degrees of infertility | 9. Uterine rupture |
| 5. Premature and low weight births | 10. Future miscarriages |

Many of these medical complications we have been aware of for several years. In addition, there is growing evidence to support the existence of the emotional and psychological sequelae of abortion termed the post abortion syndrome (PAS). We are finding it very similar to the post traumatic stress disorder (PTSD) suffered by many Vietnam War veterans, in which a traumatic event is followed by the development of characteristic symptoms. I might add,

it took the American Psychiatric Association 10 years to finally officially recognize PTSD. Some of the symptoms of post abortion syndrome are:

1. Depression
2. Guilt
3. Anxiety
4. Hostility
5. Deterioration of self-image
6. Memory impairment
7. Sleep disturbances
8. Difficulty concentrating
9. Withdrawal
10. Nightmares
11. Hallucinations
12. Alcohol and drug abuse
13. Recurrent recollections of the abortion or the unborn child
14. Deterioration of primary relationships
15. Suicide

Several studies of post-aborted women show that the majority of the women studied are affected by some degree of PAS which may surface immediately or as much as 5-10 years later. One University of Minnesota study on teen suicide found that teens who have had abortions are four times more likely to be depressed and suicidal than teens who have not had abortions. Suiciders Anonymous in Ohio reports that 45% of their female callers had had abortions. Of those, 78% were between 15 and 24 years old.

Ambivalence is another common characteristic of the adolescent age group. The teenager may vacillate between wanting total independence and wanting to be taken care of; they desire adult privileges yet reject adult responsibilities; one moment there is love and respect for parents, the next resentment and hostility. This instability enters into their decision-making process causing difficulty in coming to a final decision; then being assailed by self-doubt after it is made.

Consequently, with these characteristics of looking for the most expedient solution and being strongly ambivalent about any decision, it is

readily apparent that the adolescent needs wise counsel and strong support from those who love her, i.e. her parents, in making such serious decisions. Yet, in this very important decision, she is encouraged to turn to strangers in an abortion clinic for help - people who do not know or understand her personality or her personal history; people who have a vested interest in her obtaining an abortion. What kind of counseling is given when the counselor is paid by the abortion that is sold? Would the counseling emphasis be different if the counselor got paid for the adoption provided or the live birth that resulted?

According to testimony of former abortionists and clinic operators, abortions have been done on women who were not even pregnant. Women and girls are run through the abortion clinics as quickly as possible because everyone gets paid by the abortion performed. The free standing abortion clinics are not licensed or regulated even for cleanliness and sanitation. Journalists across the country have exposed unsanitary conditions in some free standing clinics. These clinics do not have to report numbers or complications, so only the other doctors in the community who end up taking care of the complications have any vague idea of how competent the abortionist is. In hospitals for all other surgical procedures, mortality rates and complication rates for each doctor are watched closely. The fact is that all of us perform better and more carefully when we are accountable. Parental notification begins to provide some measure of accountability and protection for the minor patient.

Abortion is not the trivial procedure that it is popularly portrayed. It is a surgical procedure that can have long-lasting consequences, and should be governed by the same principles as any other surgical procedure. These principles are informed consent, parental consent for minors, statistical

reporting and case reviews; all of which are in existence primarily for patient protection. As the law stands now, we give hundreds of teens over to suffering the aftermath of abortion in ignorance with no real informed consent or parental involvement for the sake of a few who have uncaring, unsupportive parents.

What about post-abortion complications? Will the adolescent who has secretly obtained an abortion receive medical care for complications that might arise as expeditiously if the parents are uninformed? Or won't the tendency be for her to delay seeking medical care and thus jeopardize her health? This concerns me as a physician. If the parents have no knowledge or have given no consent for this procedure that then results in a medical complication which necessitates treatment, who is then responsible for the medical bills incurred? Legally, the parents are responsible to pay the bills, yet the government has taken away their right to even know this surgery is being contemplated by their child.

As a parent I am concerned that not requiring at least parental notification in this very important matter teaches adolescents that society deems it acceptable, perhaps even preferable, to lie, to be deceitful, and avoid facing the authorities in their lives. This same behavior in response to other societal authorities could result in punitive consequences.

In summary, I believe SB 147 is necessary because adolescence is a time of learning the skills necessary to make important decisions, especially those that will affect them the rest of their lives. They need the more mature counsel from parents and loved ones who generally have their best interest at heart. Teenagers should not bear the burden of this decision of whether or not to abort and its consequences alone.

ABORTION COMPLICATIONS

These statistics come from studies of abortions done in hospitals in the U.S. or other countries that have had legalized abortion with statistical reporting present for many years longer than we have. It is important to note that hospitals generally have a higher standard of care than free standing abortion clinics which do most of the abortions in this country. Abortion clinics have no reporting requirements making it very difficult to monitor their complication rate or quality of care.

PHYSICAL/MEDICAL (20 -30% of suction and D & C abortions done in hospitals)

I. Immediate post-abortion complications

- A. Hemorrhage, bad enough to need transfusion.... 2%
- B. Perforation of the uterus..... 1%
- C. Infection, mild to fatal..... 25%
(Pelvic Inflammatory Disease PID)
- D. Disseminated Intravascular Clotting
occurs in late D&E's, saline and prostaglandin abortions
- E. Amniotic Fluid Embolus..... 12% of abortion deaths
occurs in saline and prostaglandin abortions and hysterotomies

II. Late complications of future fertility and reproduction (arise from steps in the procedure, i.e. from cervical damage or endometrial damage OR from post-op infection)

- A. Infertility..... 5-10% after one abortion
- B. Future miscarriages..... 2-3 fold increase
- C. Premature labor & delivery..... 2-3 fold increase
Related to mental retardation and birth defects
- D. Low birth weight full term..... 1.5 fold increase
- E. Tubal pregnancies..... 3 fold increase
- F. Labor complications..... 3 fold increase
- G. Rh factor sensitization
- H. Rupture of uterus..... 5% of post hysterotomy patients

Abortion is not as trivial as it is popularly portrayed. It is a surgical procedure in which an essentially closed body cavity is entered and does have long lasting consequences. As such, it should be governed by the same principles as any other surgical procedure. These principles of informed consent, parental consent for minors, statistical reporting, case and peer reviews are all in existence in tort law primarily for patient protection.

A Kansas doctor's medical mishaps

SUNDAY, June 3, 1990

Physician's history includes several lawsuits.

By BILL DALTON
Special Projects

Erna Fisher was 18 years old, 18 weeks pregnant and already a mother when she anxiously stepped into Dr. Dennis W. Miller's office for an abortion the afternoon of March 30, 1988.

Within minutes, the operation turned fatal. Fisher's mother — who held her daughter's hand because Erna was frightened — said Erna jerked upright, then went rigid, apparently from a seizure. A medical assistant ran for smelling salts.

Miller continued removing tissue, unaware that his patient had vomited and was choking to death. Later, Miller acknowledged he had prescribed a painkiller he knew could cause vomiting. He admitted not asking the young woman whether she had eaten. During the operation and afterward, while waiting for an ambulance, he did not check her airway or offer her oxygen.

"Since I didn't realize what was going on, I don't think it would have made any difference," Miller

See **DOCTOR, A-16**, Col. 1

Continued from A-1

stated later in a sworn deposition.

Miller settled with Fisher's heirs last December for \$475,000, according to court records. He denied any liability, which malpractice lawyers said is routine.

Other patients in Miller's care have suffered serious complications. *The Kansas City Star* found that since 1987, Miller has settled six malpractice lawsuits, with five claims totaling nearly \$2 million. The other settlement was not disclosed.

Public records and Miller's own depositions reveal a series of medical mishaps by the doctor, who flunked state licensing exams at least eight times.

To be sure, a few other Kansas doctors have had more malpractice claims filed against them and some have had bigger individual judgments. But some medical malpractice experts said Miller's recent track record is beyond the norm, and Kansas insurance records support those assertions.

Thomas E. Sullivan, an Overland Park lawyer who represented patients who have sued Miller, said, "He's not typical in terms of the number of claims or in terms of real serious cases."

"Six or seven lawsuits and settlements for \$2 million would be greater than average," said Homer Cowan, administrator of a state insurance plan for Miller and other doctors who often are considered such high risks they cannot buy malpractice coverage from private companies.

Kansas insurance records show a state-run fund will pay more than \$1 million of the claims for Miller. He is one of only three practicing Kansas doctors who have had claims against the fund exceeding \$1 million. Two others with claims exceeding \$1 million faced disciplinary action and no longer practice medicine, officials said.

Miller, 41, continues to practice medicine at his office in Kansas City, Kan., and at Comprehensive Health for Women in Overland Park.

He declined to comment for this story or respond to written questions.

Certainly Miller is in a risky profession. The American Medical Association says obstetrician-gynecologists are among the most likely physicians to be sued, with 15.1 claims for every 100 doctors, according to 1988 statistics, the last year numbers were available. The AMA does not know the outcome of those claims.

But monetary settlements do not ease the pain suffered by some of Miller's patients, such as a 33-year-old Kansas City woman who asked not to be identified.

Her attorney said she settled for \$200,000 in 1988 after an infection from a sterilization operation led to a hysterectomy, removal of 36 inches of intestine and a devastated personal life.

"No money can make up for that," she said.

Failed exams

Despite graduating in 1975 from Meharry Medical College in Nashville, Tenn., Miller had to stop practicing medicine between June 1981 and February 1982 because he couldn't pass licensing exams in Kansas and Missouri.

In a deposition, Miller explained his test trouble "was in basic science."

He failed the test in Missouri three times before giving up, he said. Miller passed the test in Kansas in December 1981, on his ninth attempt.

"Good grief," said Dr. William Cameron, vice chairman of the department of gynecology and obstetrics at the University of Kansas Medical Center.

"The overwhelming majority of physicians pass the first time. I would think that would be most unusual. It may even be a record," Cameron said.

No limit is set on the number of times a doctor can take the test in Kansas. Richard Gannon, executive director of the Kansas State Board of Healing Arts, which regulates health care professionals, said a few doctors had taken the exam as many as six times. But they were what he termed "foreign" and may have had language difficulties.

In depositions, Miller said he also took tests two times in the early 1980s to become board-certified in obstetrics-gynecology, signifying an expertise in that field.

He failed both times.

Yet Miller apparently has been held in high regard at area hospitals. In 1988 he served as chairman of the obstetrics department at Providence-St. Margaret Health Center, hospital officials said.

"He's a member of the staff in good standing at this moment," said Executive Director James O'Connell. O'Connell said Miller's duties as chairman of the department were primarily administrative and had "little to do with direct medical practice."

Miller has stated he also was on the medical education committee at Bethany Medical Center and an approved physician for 12 area group health plans.

Apparently Miller does not lack patients. In a 1987 deposition, he said he delivered 100 to 150 babies a year and had done about 400 to 500 hysterectomies.

Miller said about 40 percent of his practice was abortions, estimating he has performed more than 8,000 in his career.

"We have a lot of confidence in him. He knows how to provide excellent abortion services and is very good," said Adele Hughey, director of Comprehensive Health for Women. She said Miller has practiced at the clinic since the early 1980s.

Miller's legal troubles started early in his career. He was sued while in residency at Truman Medical Center between 1975 and 1979. Jackson County Circuit Court records show Miller assisted in a 1977 sterilization in which a woman's bowel suffered "multiple burns and perforation" during the procedure. She required removal of 30 inches of intestine.

The suit against the hospital, two other physicians and Miller was settled in 1981 for an undisclosed amount.

Senate F&SA

Inadequate care
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Leon Taylor, 10, will struggle the rest of his life. Lack of oxygen at birth left the Kansas City, Kan.,

Doctor has settled six malpractice lawsuits since 1987

Dr. Miller is "not typical in terms of the number of claims or in terms of real serious cases."

— *Thomas E. Sullivan, an Overland Park lawyer*

Continued from A-1

boy severely retarded and with physical disabilities.

"It was absolutely preventable," said Sullivan, the attorney who represented Leon and his mother, Carmona Ellis.

Leon was born prematurely because his mother has an incompetent, or weak, cervix, a part of the uterus. Medical experts say a common procedure — tying a "ribbon" around the cervix to strengthen it — probably would have prevented the premature birth.

In his deposition and in court testimony, Miller agreed. He also acknowledged failing to examine the cervix regularly, to treat Carmona's anemia, to treat a possible urinary tract infection or to stop her from taking a drug suspected of causing birth defects prescribed by another doctor.

Miller didn't deliver Leon, but he signed charts showing he had examined Carmona before the delivery. In court testimony last October, however, Miller acknowledged he probably hadn't done part of the examination.

In fact, Miller testified that he and his two partners failed to provide the appropriate standard of medical care.

"You won't find many malpractice cases where a physician admits on the stand that he departed from the appropriate standard of care," said Sullivan, who is a governor of the American Trial Lawyers Association.

Miller, as well as the two partners with whom he was practicing when Leon was born, settled for \$2.2 million, records show. The state fund paid \$533,333 on Miller's behalf.

The money will be needed to care for Leon, who already has had several operations. Sullivan said experts believe Leon will have a mental capacity no greater than a 7-year-old.

Carmona's first child also was born prematurely and died. Leon, who weighed only 2 pounds, 7 ounces, "was so little, I thought he was going to die, too," she said.

He will be her last child. "I had my tubes tied because I didn't want to go through this again," she said

More settlements

A lawyer for Lisa Allen's heirs described Allen's last days as ones in which she "slowly suffocated to death."

Allen came to Miller in September 1986 complaining of back pain. When a test found protein in her urine, Miller said in a deposition, he assumed that it was because of a possible pregnancy, but he didn't investigate other causes.

About a week later, pain forced Allen into the emergency room at Providence-St. Margaret Health Center. Later, a hospital doctor diagnosed a severe kidney infection; Allen ended up in intensive care.

Allen developed septic shock, a bacterial bloodstream infection, and then adult respiratory distress syndrome. She underwent 11 surgical procedures, court records show, including removal of parts of her lung and a dead fetus.

Allen, 21, died Oct. 16, 1986. Her heirs sued Miller and an emergency room physician corporation for not promptly diagnosing and treating her illness.

The case was to go to trial in April, but lawyers said Miller settled for \$450,000 and the emergency room physicians' corporation settled for \$375,000.

Two Kansas City women sued Miller for problems after surgical procedures. Both women, who had abortions, asked not to be identified.

In the first case, Miller performed an abortion in his office in 1985.

"He was fast and it hurt," his patient recalled.

She developed an infection and went to other doctors. They found a punctured cervix, she said, and advised her to see Miller again.

"He said there was nothing wrong with me."

Her new doctors put her in the hospital, her attorney said, and then had to remove fetal material Miller had missed. Miller settled for \$75,000, her attorney said.

The other woman alleged in a lawsuit that Miller perforated her bowel during a sterilization, also in 1985.

Before the sterilization, Miller performed an abortion procedure on the woman, based in part on a positive pregnancy test. Because so little tissue was removed, Miller cautioned she still might be pregnant.

Miller, however, acknowledged in a deposition that he didn't perform other procedures, including a sonogram, to confirm the

pregnancy. Tests later showed she wasn't pregnant.

An infection from the perforation led to removal of about 36 inches of the woman's intestine and a hysterectomy. Phil Cartmell Jr., the woman's attorney, said the perforation occurred because the bowel was attached or too near one of the woman's fallopian tubes for it to be safely sealed off.

"When he saw the tube was not clear he should have canceled the procedure," Cartmell said.

The woman settled in 1988 for \$200,000, according to Cartmell. Miller, who denied responsibility, paid most of the claim, Cartmell said, and other doctors who treated the infection also paid part for allegedly not acting quickly enough.

"I had a whole different life before this," the woman said. Her husband divorced her because "he couldn't put up with me being ill so frequently," she said.

"I'm amazed that the man is still in practice," she said. "I don't think people's lives should be in his hands."

In a deposition, Cartmell asked Miller whether he had changed any of his procedures since operating on the woman.

"I wouldn't do anything different," Miller responded.

Disciplinary action

Asked to respond to some of the newspaper's findings, Gannon said the state Board of Healing Arts "may need to have another look at Dr. Miller."

"Right now I can't respond because it's all new information to me," Gannon said.

The only board action against Miller came in December 1988, after a review of the Erna Fisher case "revealed matters that, in the opinion of Disciplinary Counsel, could result in the revocation, suspension, or limitation" of Miller's license.

The disciplinary counsel's review was not public. But court records in the Fisher case painted a chilling picture. Dr. Ralston R.

Hannas Jr., a doctor serving as an expert witness for the plaintiff, said no second trimester abortion should ever be performed in a doctor's office. And Hannas agreed that Miller was grossly negligent for not discovering Fisher's obstructed airway.

"We're all taught the ABCs. Airway, breathing, circulation and shock," Hannas said.

Michael Weckwerth, an ambulance paramedic, said he found Miller cradling Fisher in his arms. "He (Miller) wasn't doing CPR or anything," Weckwerth said in an interview.

The paramedic said it took the ambulance about 90 seconds to reach Miller's office, just down the street. He estimated Fisher hadn't breathed for up to eight minutes. In a deposition, Miller estimated three to five minutes passed between the time Fisher showed signs of distress and the ambulance arrived.

But if lifesaving efforts had been under way "it definitely would have helped," Weckwerth said. "If he had called us when she seized we might have been able to save her."

State Board of Healing Arts records show Miller avoided a formal hearing on the case by agreeing not to perform abortions in his office. The agreement stopped short of finding that Miller departed from any standards of medical care, something Miller denied.

It also allowed Miller to continue doing abortions in licensed health care facilities and to resume abortions in his office in one year.

Gannon said the state board's limits on Miller were "relatively harsh" and "a significant blow to a doctor's practice."

But in a sworn affidavit, Miller said he had already stopped doing abortions at his office the day after Fisher died — eight months before the board's prohibition. Miller continued, however, doing thousands of abortions at Comprehensive Health.

Sunday, June 3, 1990 The Kansas City Star

CONCERNED WOMEN FOR AMERICA
OF KANSAS
P. O. BOX 6217
KANSAS CITY, KANSAS 66106-0217
913-682-0296

BEVERLY LAHAYE
PRESIDENT

BEVERLY TUCKER
AREA REPRESENTATIVE

KENDA BARTLETT
LEGISLATIVE LIAISON

March 27, 1991

TESTIMONY BEFORE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE
Senator Edward F. Reilly, Jr., Chairman
SB 147

Mister Chairman and Members of the Committee:

Thank you for the opportunity to testify today. My name is Kenda Bartlett, and I am the Legislative Liaison for Concerned Women for America of Kansas. Since this is my first time to testify before this committee, I would like to take a minute to tell you a little about our organization. Concerned Women for America (CWA) is a non-profit, public-policy organization based in Washington, D. C. with chapters in all 50 states and Puerto Rico. We have approximately 700,000 members nation-wide making us the largest women's organization in the United States. We have about 3,000 members in Kansas. CWA's stated purpose is to "preserve, protect, and promote traditional and Judeo-Christian values through education, legal defense, legislative programs, humanitarian aid and related activities". As Legislative Liaison I track legislation that will have an impact on families. I focus on educational issues and issues that have to do with children and youth.

Today I would like to address SB 147. Concerned Women for America of Kansas supports this legislation and asks that this committee report it out of committee with a "do pass" recommendation.

That is my recommendation as the Legislative Liaison for CWA of Kansas. I would now like to take the remainder of my time to address you as the mother of two teenaged daughters. You will notice that this testimony is also signed by my husband, Lieutenant Colonel J. Terry Bartlett, United States Army. We would like to express to you our joint support of this bill.

Nothing is quite as awesome as the responsibility that we both

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felt the day that our oldest daughter was born. We realized that we had been given the responsibility to mold and to shape a life. The government reaffirmed that responsibility for us each time the Army doctor reminded us that it was time for vaccinations, well-baby check-ups and the first trip to the dentist. When accidents happened and visits to the emergency room were made, the doctor once again reminded us of our responsibility as he explained the options for treatment and pointed out to us the consequences of each decision. As both of our daughters grew, they became involved in all kinds of activities. With each activity came a permission slip that we had to sign that gave them our permission to participate, and in most cases absolved the school or club from any responsibility if anything should happen to our daughters as they participated. We were responsible for maintaining insurance on them and seeing that they had all of the special equipment that they needed to participate. Just a few weeks ago we signed a permission slip for our younger daughter to take part in the track program at Leavenworth High School. Their permission slip relieved them of any responsibility if she should be hurt while participating. When our oldest daughter made her choice to sign a scholarship agreement to play basketball for Texas A & M University we had to co-sign that agreement. Once she enrolled at A & M the team doctor found himself in a dilemma. Our daughter was only seventeen; she was not legally able to make medical decisions for herself. The doctor sent us a form to fill out that gave him our permission to treat her if she should hurt herself while playing basketball. Every day and in many ways we are reminded of our responsibility to our daughters.

But, somewhere along the line the state has decided that we as parents should not have any say if one of our daughters would choose to have an abortion. How is it that we are so responsible in every other way, but yet in this one area we all of a sudden have violated her right to privacy?

Opponents to this bill would say, "Yes, but you care about your daughters. What about the poor girl whose parents don't care what happens to her or who would even be abusive to her?" We believe that we are dealing with a very small percentage of the cases when we narrow the argument down to this issue. While Director of a home for unwed mothers in Georgia, I had a chance to deal with a number of young women who were trying to make a decision about their pregnancy. In every case we encouraged the girls who were estranged from their parents to meet with them and talk this situation through. We always had favorable results. In some cases the parents did not offer any financial help, but they did offer emotional support. In some cases the young women found that they did not need our services after all, and went home to complete their pregnancies. One young woman who had not had any contact with her father for many months found that she had the opportunity to go home to live with him. He could not resist that beautiful new granddaughter.

We must be sure that when we look at the issue of Parental Notification we do not get side-tracked by an argument that refers only to a small percentage of the girls that seek abortions. According to Don Rutledge, Department of Social and Rehabilitative Services, from July-December of 1989 there were 284 confirmed cases of child abuse and neglect in the 12-18 year age group in the state of Kansas; 191 of these involved girls. This would extrapolate out to 382 confirmed cases in one year. The Bureau of Vital Statistics, Institute for Public Policy and Business Research, Report #158, states that in the total population of Kansas there are 169,012 females in the 10-19 year age group in 1990. This means that less than .0023% of girls in these age groups would fall into the category of abused or neglected. Simply stated, a very small percentage of girls in Kansas live in homes where abuse or neglect has been confirmed by the state. The argument that fear of parental abuse would drive girls to seek back alley abortions if this law was passed does not seem warranted. The state, therefore, should not infringe upon a parent's rights to be notified so they can offer counsel to the child for whom the state says they are responsible.

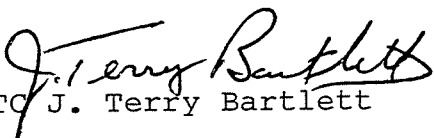
In closing I would like to quote the results of two studies. In a Planned Parenthood poll of 1,000 teenagers in 1986, the following question was asked: What would make you delay having sex? Respondents could choose more than one answer. The results were as follows:

Worry about sexually transmitted diseases	65%
A pregnancy could ruin their life	62%
Worry about parents finding out	50%
It would ruin their reputation	29%

The second study was done by Hogan and Kitagawa and quoted in the Journal of Marriage and Family, 1987. They found that rates of teenage pregnancy were reduced when parents supervised **WHO** the adolescent dates, **WHERE** the adolescent went on dates, and the **ARRIVAL TIME** back home.

It should be clear that parents do still exert some influence over their teens, and the state should not allow a young woman in the anxiety of her crisis to by-pass her parents input into probably the most important decision that she will ever make.

Thank you for the opportunity to address the committee.


LTC J. Terry Bartlett


Kenda Bartlett

constitutional principles be applied with sensitivity and flexibility to the special needs of parents and children.²³ There is a recognition of the guiding role of parents in the upbringing of their children. The Court has held that the States may "validly limit the freedom of children to choose for themselves in the making of important, affirmative choices with potentially serious consequences."²⁴ This holding is "grounded in the recognition that, during the formative years of childhood and adolescence, minors often lack the experience, perspective and judgment to recognize and avoid choices that could be detrimental to them."²⁵ The abortion decision is one in which parental guidance is particularly desirable.²⁶

Justice Powell, in H.L. v. Matheson²⁷, also recognized that "the guiding role of parents in the upbringing of their children justifies limitations on the freedoms of minors."²⁸ Those who nurture a child and direct his or her destiny "have the right, coupled with the high duty to recognize and prepare him for additional obligations."²⁹

OBJECTION: Many teens living in dysfunctional families fear violence by family members.

RESPONSE: In H.L. v. Matheson,³⁰ Justice Stevens, in an opinion concurring with the majority, wrote that "an assumption that parental reaction will be hostile, disparaging or violent, no doubt persuades many children simply to bypass parental counsel which would in fact be loving, supportive and indeed, for some, indispensable."³⁰ "A state legislature may rationally conclude that most parents will be primarily interested in the welfare of their children."³¹

In cases in which there is a serious threat to the well-being of the minor, emergency measures can be provided in statute to allow for a by-pass of parental involvement.

²³ Id. at 634.

²⁴ Id. at 635.

²⁵ Id.

²⁶ Id. at 634, App N.

²⁷ 450 U.S. 398 (1981).

²⁸ Hodgson v. State of Minn., 853 F.2d 1452, 1460 (8th Cir.f 1988), App. O.

²⁹ Bellotti v. Baird, 443 U.S. 622, 636 (1979), citing Pierce v. Society of Sisters, 268 U.S. 510, 535 (1925), App N.

³⁰ Matheson, 450 U.S. at 423, App P.

³¹ Id.



Crosby Place Mall
717 S. Kansas Ave.

Topeka, Ks. 66603

(913) 233-8601

Testimony, SB 147, March, 27, 1991
KANSAS SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

Its strange how, when abortion is involved the obvious becomes obscure, the simple becomes complicated, and ordinary rules that apply to every other situation no longer apply. This is certainly true in the issue of parental notification. The bill before you is a clarification of existing law. It is necessary because the law that would ordinarily apply is being ignored.

It has often been observed that a minor cannot get an aspirin without the parent's consent - or even buy a pack of cigarettes with or without the parent's consent. Yet, even without her parent's knowlege, a 12 year old girl can have major surgery, that will dramatically alter the course of her entire life. This is so, not because it is the law but because the law is being ignored. This 12 year old girl is the victim of the crime of sexual abuse, probably incest, at least statutory rape. Perhaps the perpetrator of the crime is a juvenile also. If any other crime or abuse were involved the parents would immediately be notified. The only exemption is abortion. Why? Because the supreme court says she has the right to an abortion. But does that nullify every other law and common sense also?

The law requires parents to be responsible for their children. If a minor is caught shoplifting the parents are notified. Would the opponents of S147 argue that they should not be notified if their child has been shoplifting. Oh, but the child has no right to steal, only to murder an unborn child.

How about breaking into a neighbors house. The parents will be notified. They will be required to make restitution if there is any damage and they will surely be angry. A few years ago one of our teenage boys borrowed a friends bee bee gun and decided it would be fun to practice shooting with some neighborhood street lights as targets. Well of course the police came knocking at our door. They didn't ask if we

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...re a dysfunctional family and they didn't care if we might be ab...
...nts. The city wanted the money to replace these street lights and
...were required to pay.

Recently a 17 year old Topeka baby sitter was impregnated by the 13
year old boy she was babysitting. She had the baby and applied to SRS for
assistance. She was prosecuted. Yet if she had sought an abortion she
would not have been prosecuted. Neither her parents or the boys parents
would have been notified. Apparently her crime was in not killing her
child. Apparently also, statutory rape laws are only selectively
enforced. Its just as we have said ordinary rules, even laws do not apply
when abortion is involved.

No doctor or health care provider would touch a child without the
consent of a parent unless it were an emergency. They are worried about
being sued. The Health Department even issues an official consent form
for medical treatment for parents who leave their children at a day care,
as the form says, "In order to meet all legal requirements". Why are
abortionists not worried about a lawsuit? They know from experience that
because of the pain and the trauma of abortion, women only want to forget
the experience.

Doctors and health care providers are required by law to report the
situation if they have reason to suspect that a child has been abused,
including of course, sexual abuse. If a minor seeks an abortion it is
obvious that she is the victim of sexual abuse, as it is defined by law.
Why isn't it reported?

Parents are responsible for their children. Some states are moving to
require even more responsibillty and accountability from parents. I
recently saw a segment on national evening news about a city I believe in
Florida that had enacted a curfew. Parents were held responsible for a
child who broke the curfew. How can parents be responsible for children
if the state is in collusion with others such as abortionists to cover up
the activities of their children. It doesn't make sense does it?

This is a reasonable bill. It clarifys existing law that is now only
being selectively enforced. It should be passed and not watered down to
make it meaningless.

Thank you.

Pat Goodson

ANDON OFFICE BLDG A AUTHORIZATION FOR EMERGENCY MEDICAL CARE
10 SW JACKSON FOR CHILD CARE AND RESIDENTIAL
TOPEKA, KS. 66612 CARE FACILITIES

LICENSE # _____
REG CERTIFICATE # _____

CONSULT LOCAL HOSPITAL TO BE SURE THIS FORM IS ACCEPTABLE:

IN ORDER TO MEET ALL LEGAL REQUIREMENTS, I HEREBY AUTHORIZE _____
AND/OR _____ WHO IS (ARE)

REPRESENTATIVE(S) OF _____ TO GIVE CONSENT
CHILD CARE FACILITY
FOR ANY AND ALL NECESSARY EMERGENCY MEDICAL CARE FOR MY CHILD _____
(NAME)

WHILE SAID CHILD IS IN SAID INDIVIDUAL'S CUSTODY BETWEEN THE DATES OF

_____ 19____ AND _____ 19____
SIGNATURE OF PARENT OR GUARDIAN

WITNESS

(PARENT'S SIGNATURE NEEDS NOTARIZATION ONLY IF REQUIRED BY LOCAL HOSPITAL OR CLINIC)
STATE OF KANSAS

COUNTY OF _____
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
_____ KNOWN TO BE TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED ABOVE, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME
FOR THE PURPOSE THEREIN EXPRESSED.

SWORN AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____ 19____

(SEAL)

NOTARY PUBLIC AND FOR _____ COUNTY, KANSAS
MY COMMISSION EXPIRES _____

PHYSICIAN _____ ADDRESS _____ PHONE _____

HOSPITAL PREFERENCE _____

EMERGENCY PHONE NUMBERS: _____
HOME. FATHER (WORK) MOTHER (WORK)

DO YOU HAVE HEALTH INSURANCE? [] POLICY NAME AND NUMBER _____

DO YOU RECEIVE MEDICAL ASSISTANCE? _____ PROGRAM AND CARD NUMBER _____

IS CHILD ELIGIBLE FOR MILITARY MEDICAL CARE? [] ID. NUMBER _____

MEDICAL INFORMATION ON CHILD:

DRUG ALLERGIES _____

LAST TETANUS TOXOID _____

(ATTACH THIS FORM TO THE CHILD'S HEALTH RECORD. BOTH FORMS MUST BE TAKEN TO THE
EMERGENCY ROOM.)

NAME OF DAY CARE PROVIDER OR FACILITY: _____

STREET CITY COUNTY

CATEGORY OF CARE: REGISTERED CARE ___ LICENSED DAY CARE ___ GROUP DAY CARE ___ CHILD CARE CENTER ___ PRESCHOOL ___

(NAME OF CHILD) MAY GO TO THE FOLLOWING LOCATIONS OFF THE PREMISES:

1. (PLACE)

(ADDRESS)

BY VEHICLE ___ WALK ___

(SIGNATURE OF PARENT OR GUARDIAN)

DATE: _____

2. (PLACE)

(ADDRESS)

BY VEHICLE ___ WALK ___

(SIGNATURE OF PARENT OR GUARDIAN)

DATE: _____

3. (PLACE)

(ADDRESS)

BY VEHICLE ___ WALK ___

(SIGNATURE OF PARENT OR GUARDIAN)

DATE: _____

4. (PLACE)

(ADDRESS)

BY VEHICLE ___ WALK ___

(SIGNATURE OF PARENT OR GUARDIAN)

DATE: _____

5. (PLACE)

(ADDRESS)

BY VEHICLE ___ WALK ___

(SIGNATURE OF PARENT OR GUARDIAN)

DATE: _____

6. (PLACE)

(ADDRESS)

BY VEHICLE ___ WALK ___

(SIGNATURE OF PARENT OR GUARDIAN)

DATE: _____

I HEREBY AUTHORIZE (NAME OF CHILD)

(A) TO WALK TO AND FROM THE FOLLOWING LOCATION(S) WITHOUT ADULT SUPERVISION:

(1) (2)

(3) (4)

(SIGNATURE OF PARENT OR GUARDIAN)

(DATE)

TO: Senate Standing Committee
Federal and State Affairs

RE: Senate Bill #147
Parental Notification

Mr. Chairman, and Senators,

My name is Thomas R. Zarda, I am the immediate Past State Deputy of the Knights of Columbus in Kansas. We are a Fraternal Society. We have in excess of 30,000 members in Kansas. Our members, represent an estimated 120,000 voters. We have 214 local councils (chapters), those being located in every county in the State.

The State Officers have asked that I be chairman of their Legislative Action Committee. The comments that I make here today are, as if they were here, for they believe as I do.

Very briefly, I am here today to speak in support of Senate Bill #147.

The Supreme Court says that a teenager is less able to evaluate the consequences of his, or her actions. Teenagers can't drink, vote or drive a car until they reach a certain age. That is why laws are passed to protect parental rights.

We constantly hear comments urging stronger family units and the importance of that unit in American Society.

To allow the State to not give, to the parents their natural and legal authority to act as Father and/ or Mother, is to lessen the authority and integrity of the family.

The court said in 1979 " that the guiding role of parents in the upbringing of their children justifies limitations on the freedoms of minors ".

I ask the question: Why do we not recognize Senate Bill #147 for what I believe it is? It is a " Parental Right Bill ", not an abortion bill.

We must protect minor children from being influenced by persons outside of their family. We must give the parents the right to know when such influence is being exerted on their children.

The people that I represent here today are reasonable, in that they know that all persons don't agree all the time. But they do know that when something is recognized as being wrong, then we must try to correct it.

It is wrong for parents not to be notified when there minor child is considering whether or not to have an abortion. This is their right. Senate Bill #147 re-affirms that right.

Thank You,

Thomas R. Zarda
Past State Deputy
12400 W. 62nd terr.
Suite A
Shawnee, Kansas 66216

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COMMITTEE ON PUBLIC AFFAIRS

*Kansas-Nebraska Convention of Southern Baptists
5410 West Seventh Street, Topeka, Kansas 66606
"...seeking God's answer to today's moral issues..."*

SENATE OF KANSAS - FEDERAL AND STATE COMMITTEE

*Dr. Jimmy Cobb,
Chairman
Charles Hawley
Bette Elder
James Hamilton
John Yeats
Ron Elliott
Dave Stillie*

Reference to SB147, Notification of one parent before performing abortion on a minor.

CONFeree - JOHN YEATS

Legislative Liaison - Committee on Public Affairs,
Kansas/Nebraska Convention of
Southern Baptists; Pastor of
Shawnee Heights Baptist Church,
Topeka, Kansas

Part of the dilemma of SB147 is that the debate is focused on "abortion rights." You will hear plenty of emotionally charged testimony.

The primary issue of SB147 is the State's position on the promotion of positive family life. Our State's heritage has historically supported the ideals of positive family living. You as Senators have the awesome responsibility of adopting or rejecting bills that foster family life - the kind of family living that cultivates generations of solid, upstanding citizens of excellent character.

SB147 addresses the issue of family order and responsibility. Current Kansas statutes support the role of parental responsibility for unemancipated minors below age 18. Currently every other medical procedure must have the consent of a parent or guardian prior to initiation. SB147 is unique in that the abortion procedure will only require notification, not consent.

We appeal to you as our Senators to take the leadership role in reaffirming and reestablishing parental responsibility and parental rights in this very intimate family area. A majority of Kansas families need your positive support of this bill.

I would urge you to consider passage of SB147; and please do not lower by amendment the age of a minor on this issue. We would encourage you to enhance the right of parental notification by amendment for a 48-hour notification.

Your electorate constituency will always be supportive of Senators who uphold a standard supportive of family life. We recommend your passage of SB147 to full Senate action.

John Yeats
(913) 266-5600

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As we consider this issue, our primary concern must be the health and well-being of our children, both physically and emotionally. Our children's lives are being jeopardized by having them undergo this surgical procedure without their parents' knowledge or consent. We are condemning these children to submit to the surgical care of a physician and to be administered an anesthetic, without the benefit of ANY medical records on the child or ANY medical background history other than what the teenager herself can provide. How can you, with clear conscience, force parents to place the very lives of their children in danger by taking away their most fundamental right of deciding for the medical care of their children?

In every other medical procedure, this fundamental right of parents is protected. Can you tell me of even one instance where I do not have rights in determining the medical care for my child, to include choosing the doctor and the medical facility, other than the one we are debating here today? I would like to show you just how far from this basic right we have traveled. The Washburn-Rural school district recently allowed Topeka Blood Bank to come in so that the kids could volunteer to donate blood. The school called me at my place of employment; not to let me know that my daughter had volunteered, but to secure my permission before they could take this donation. I am amazed that my permission is necessary before my daughter can voluntarily give blood, a relatively safe procedure, but she can go out and obtain an abortion and be administered an anesthetic; which in itself has proven to be dangerous without my knowledge, much less my consent. What is worse, if my daughter were to develop complications from this procedure that I knew nothing about which would require further medical care, I would be responsible and liable for any costs that would incur.

By offering these non-adults a choice that is in direct opposition to what their parents have taught them; the choice to do wrong without experiencing any consequences, you are effectively cutting the legs out from under them by demolishing the foundation of authority established in the home by the parents. You cannot allow kids to choose for themselves what is right and what is wrong; they need the training and experience that is provided by a mature adult parent. Recent articles were printed in the Topeka Capital-Journal describing for us what happens when children are not adequately supervised by their parents. One of the articles reported that children as young as 10 are carrying handguns, and 9-year-old children are trying to commit burglaries. Here is a quote from one article, "The children who are arrested these days resemble adult criminals more and more." Can't you see that the reason the crimes resemble those perpetrated by adults is because more and more we are pushing our kids into trying to function as adults and make adult decisions on their own at earlier and earlier ages? Here is a quote from a second article in the paper of the same date, "The many causes may include: more two-wage families, which means less parental supervision, more single-parent families..., and a society that is more tolerant of violence." We must help our children by giving them what they need most. They don't need another legal basis for ignoring the role of authority that their parents represent. As indicated in these two articles, children need MORE supervision from their parents. To do this, parents must have the legal means to adequately supervise their children by BEING AWARE of such an important occurrence as an unintended pregnancy and HAVING INPUT in decisions that will affect them for the remainder of their lives. You cannot keep stripping parents of their rights and their authority within the home without it having a devastating effect on society!

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It has been said that once you lose something, you begin to realize just how precious it was to you. I can attest to the truth of that statement. Ever since the officials in government began taking away some of my rights, they have become very precious to me indeed. To me and many others, those rights are worth fighting for. That is why I am here today. To fight for rights that I once held; but no longer. First, let's clarify what we are really debating here. The issue is clear. This is a debate about parental rights versus minor children's rights. Why must we have this battle every year? In a nation that is overly concerned with individual rights, it would seem that parents would be granted the same consideration as anyone else. Why should my children, who haven't had to take responsibility for their actions or their livelihood, have rights which are inalienable while my rights can be disregarded and put aside?

When considering this question of rights, as our primary concern, should we not consider the health and well being of our children, both physically and emotionally? And, lest you think you are doing that by voting down this bill; are you aware of what you, our lawmaking body, are asking of our children and of the danger that you are placing them in by having them undergo this minor surgical procedure without their parents' knowledge or consent? You are condemning these children to submit to the surgical care of a physician unknown to them and to be administered an anesthetic, also by someone unknown to them, without the benefit of ANY medical records on the child or any medical background history other than what a scared, confused, stressed-out teenager can provide. That boggles the mind! That those who are entrusted to propose, establish, and enact the laws that we, the people, must live under would not only allow this to happen; but that they would force parents to place the very lives of their children in jeopardy by taking away their most fundamental right of deciding for the medical care of their children.

In every other medical procedure, in EVERY other medical procedure, this fundamental right of parents is protected. If my daughter needed to have her appendix removed, I would be allowed to choose not only the doctor to perform the surgery, but I would also be allowed to choose the medical facility where it would be performed. The same is true for having her tonsils removed. The same is true for setting a broken bone. The same is even true for having an X-ray accomplished. I challenge you to tell me of even one instance where I do not have rights in determining the medical care for my child other than the one we are debating here today. Just one! I'll tell you just how far from that basic, fundamental right we have traveled. The Washburn-Rural school district recently allowed Topeka Blood Bank to come in so that the kids who wanted to could volunteer to donate blood. I was unaware of this until the school called me at my place of employment. They didn't call to let me know that my daughter had volunteered to donate blood. No, they called needing my permission before they could take this donation. THAT is astounding! That my permission is necessary before my daughter can voluntarily give blood, a relatively safe procedure; but she can go out and obtain an abortion, be administered an anesthetic which in itself has proven to be dangerous in some cases, and I not only don't get to give my consent, I don't even get to know about it. Would you like to know something even more astounding than that? If my daughter were to develop complications from this procedure that I knew nothing about which would require further medical care, I would be responsible and liable for

any costs that would incur. Honestly, does any of this make sense to you? I'm trying, I'm really trying to understand the reasoning, but I'm sorry, it is absolutely beyond me!

Let's consider for a moment the argument always being brought up that parents who properly raise their children and instill in them the moral values and beliefs that are held by the parents don't have to be concerned about parental rights. It is argued that these properly brought up children will come to their parents anyway. Have you any idea how hard it is to go to someone who loves you and trusts you, someone who has invested their life in you; and tell them that you have let them down? Everyone knows that the two most difficult, and for some it would seem impossible, things to say are: Number 1, "I made a mistake", and Number 2, "I'm sorry". For those kids who have been brought up by loving, caring, and involved parents, you are asking them to go to their parents to say and do both with the added pressure of "You don't have to do this. They don't have to know. The whole thing can be handled without their knowing, and they will never have to find out that you let them down." That is asking too much of an adult, much less a child. So don't lie to me and tell me that if I raise my kids right they will come to me. It just doesn't happen that way in the real world. You are offering these non-adults a choice which is in direct opposition to what their parents have taught them; the choice to do wrong without experiencing any consequences. By doing this, you have very effectively cut the legs out from under these children by demolishing the foundation of authority established in the home by the parents.

I know and you know that good kids can be wrongly influenced by bad friends and even good friends who mean well; and they can **ESPECIALLY** be wrongly influenced by other figures of authority, like teachers, school faculty, and school nurses. How many of you parents have had to teach your children to do wrong? None of you. It is a character flaw that we are all born with. The reason that one of the first words a child ever learns is "NO" is because that is what they hear the most often and the earliest in life. What happens in a home where the authority figures do not agree? What happens if Mom says "No", but Dad doesn't agree and says, "Yes"? I can tell you exactly. In my home, I am more strict about television viewing than my husband. Who do you think our children check with before turning on a television program that they know would be questionable? They go to the authority that is going to let them do what they want to do. It's human nature and you can't control it or change it by finding ways to get around the consequences. It isn't just in the home that two conflicting views of authority figures can cause confusion. It's in the schools and in the community as well. You can't have parents who teach their children that something is wrong and that there are serious consequences attached to that wrong, and have figures of authority at school telling them that their parents don't have to know; that there are ways to, if not avoid, then remove the consequences without their parents knowing. What red-blooded American kid do you know that wouldn't do what they have been told was wrong by their parents when it was accepted behavior by their peers and apparently accepted behavior by those in the highly responsible position of making and establishing the laws of the state who have made legal allowances for it? We must teach and train our children to do what is right; and we must have **OUR** authority to do that backed up by the school and the community. Neither can you leave kids alone to

learn for themselves what is right and what is wrong; they need the training and experience that is provided by a mature adult parent; the first figure of authority in their lives.

What has happened when children have been left alone to raise themselves and have had to try and figure out what is right and what is wrong? Recent articles were printed in the Topeka Capital-Journal lamenting the rise of youth and juvenile crime. One of the articles reported that children as young as 10 are carrying handguns, and 9-year-old children are trying to commit burglaries. Here is a quote from the article with the headline, Youth crime; It's really almost frightening; with a subheadline of, Armed kids become local problem; "The children who are arrested these days resemble adult criminals more and more." Has it not occurred to anyone of you that the reason the crimes resemble those perpetrated by adults is because more and more we are not just asking, but we are pushing our kids into trying to function as adults and make adult decisions on their own at earlier and earlier ages? Here is a quote from a second article in the paper of the same date with this headline, Reasons for youth crime complex; "The many causes may include: more two-wage families, which means less parental supervision; more single-parent families, with less emphasis on bonding between parents and children; and a society that is more tolerant of violence." We must help our children by giving them what they need most. Our children don't need another legal basis for ignoring the role of authority that their parents represent. As indicated in these two articles, children need MORE supervision from their parents. To do this parents must have the support of those other figures of authority in their children's lives, and they must have the legal means to adequately supervise them by BEING AWARE of such an important occurrence as an unintended pregnancy and HAVING INPUT in decisions that will affect them for the remainder of their lives. You cannot keep stripping parents of their rights and their authority within the home without it having a devastating effect on society!

You want parents to take responsibility for their children? You want children who are better behaved who think of others and not only of themselves? You want to lower the teen pregnancy rates? You'll never get any of these things if you continue to tie the hands of parents, if you continue to strip parents of their rights of authority within the home, if you continue to treat children as adults capable of making mature, adult decisions when they're not, and if you continue to make legal allowances for unacceptable behavior that is detrimental to the individual and to society.

As I conclude, I would like to make one final point. President Bush recently sent troops to the Middle East even though there was protest from American citizens and from Congressmen and women. A couple of months after that Mrs. Barbara Bush was interviewed and she made the following comments: This is not an exact quote, but it's very close. "Our country has done the right thing because it was the right thing to do, and because of that Americans can feel good about themselves again." All I am asking is that you do what is right, both for the parents and the minor children they are responsible for. Yes, there will be protests from some, but I am asking you to support and pass a Parental Notification Bill because it is the right thing to do so that everyone can begin to feel good about themselves again.

Thank you.

Youth crime: 'It's really almost frightening'

Armed kids become local problem

By JOE TASCHLER
Capital-Journal staff writer

Violence, mayhem, death and destruction.

It isn't the plot of some Hollywood blockbuster.

It is the script of the streets, and Topeka's children are playing a dangerous starring role.

Authorities say the level of violence among children continues to spiral upward and out of control.

Children as young as 10 years old are using weapons, including handguns, as if they were baseball bats, said Shawnee County District Judge Daniel Mitchell, who handles the county's juvenile cases.

"It's really almost frightening," Mitchell

said.

The number of cases in juvenile court has remained steady and is predicted to top out at 1,200 this year. What has increased is the severity of the crimes, Mitchell said.

Mitchell said he can cite numerous examples, including a 10-year-old who used a gun to steal another child's bicycle.

Mitchell isn't the only one who can cite examples.

A 14-year-old Topeka boy was taken into custody this month in connection with 14 residential burglaries that occurred since last summer, said Detective Richard W. Hicks of the Topeka Police Department's juvenile crime unit.

Little or no progress is being made to stop the spiral of violence, Mitchell said.

He said youth violence is growing and becoming more complex.

"We have the gang influence in Topeka right now," Mitchell said. "There's no doubt in my mind."

The situation could be worse.

"As bad as our circumstances are here, I'm surprised our summer wasn't worse. I was fearful of a gang war, for lack of a better term to describe it," he said.

At least two gangs, one that wears red clothing and one that wears clothing bearing Los Angeles Raiders football team logo, have been identified in Topeka, he said.

"This is no longer small town, rural, middle America. These are big-city happenings," Mitchell said.

Mitchell says the situation is a disaster for the youths who live in this culture.

"We are at risk of losing civilization and

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■ Reasons varied

■ Punish or rehabilitate?

reverting back to survival of the fittest," he said. "I'm not a soothsayer or a prophet of doom. I'm just calling it as I see it."

The youths Mitchell sees in his courtroom are seen by Topeka police first.

Police paint as bleak a picture as Mitchell.

"Rampant," said Detective Danny Hay of the police criminal intelligence unit, when asked about juvenile crime in Topeka.

"We're working them everywhere from 10 years old to 16 years old," Hay said.

Juveniles are involved in all sorts of crimes.

"Drug trafficking, weapons, stolen cars, residential burglaries, you name it," Hay said.

Hay said one 15-year-old boy has been taken into custody for car theft 16 times.

The children who are arrested these days resemble adult criminals more and more.

"It's nothing to arrest these juveniles with three, four, 500 bucks on them," he said.

The stories are amazing.

"We get them as little as 9 years old trying to commit burglaries," said Detective Sgt. Bill Huffmier, a nine-year veteran of the police juvenile unit.

"They're carrying more guns, and they're getting more violent," Huffmier said. "It's scary out there."

Reasons for youth crime complex

By JAN LANDON
Capital-Journal education writer

Being a kid today is tougher than a decade ago.

Many youngsters live in single-parent households, in which the family struggles for economic survival.

In what is supposed to be the safety of their home, they may face domestic violence, substance abuse or a dysfunctional family.

They walk out the front door to encounter crack cocaine and a variety of other drugs, sophisticated weapons and gangs.

And with all the other pressures, their bodies are changing. They are awkwardly caught between childhood and adulthood, with emotions they may not be able to control.

Of course, they can escape by watching television or going to movies, which dole out act after act of violence with characters like Rambo, the Terminator and Freddy Kruger.

It is hardly a surprise that local experts agree it appears young people are becoming more violent.

Still, most young adults turn out OK.

However, young Topekans have been arrested in the past few months for carrying handguns, brass knuckles and shooting out of car windows as they drove through neighborhoods. There have been reported rapes of at least two high school girls.

Teenagers have been involved in everything from murder to drive-by shootings and gangs.

“The world is not the nice, safe haven for kids that it used to be.”

— Kirk Johnson,
Washburn sociology professor

And that is a list of only a few of the violent incidents involving Topeka kids.

Robert Jennings, an administrator at Topeka Unified School District 501, said incidents of violence haven't increased in the high schools. However, incidents in the community have heightened awareness among the schools' staff, he said.

Jennings, general director of secondary education for the Topeka Public Schools, said the schools have plans in place to deal with violence or any other emergency situation.

Earlier this fall, when a Topeka High School student was allegedly raped at an off-campus toga party, the school's administration prohibited seniors from wearing togas in a homecoming parade.

The move to ban the togas was supported by some students and community members, while it outraged others.

Whether youth crime is increasing or just the awareness of it is a question that is being debated, said Lee Ascherman, staff child psychologist and director of the unit for adolescents at Menninger.

Any answer to why crime appears to be increasing is complex, he said. However, he and other experts said the accessibility of handguns, crack cocaine and alcohol use, and violence in the media add to the problem.

Ascherman said adults must remember that teenagers are going through a transition. Development differs for individual young people, he said.

While one teenager may be able to control his or her anger, another may not be able to, he said. When looking at development it must be considered whether a young person has a sense of morality and consciousness and impulse control.

Another factor is whether a young person is abused at home, Ascherman said.

“Kids that are exposed to domestic violence probably have problems with self-control,” he said.

“Violence, does appear, on a statistical basis to be increasing,” said Kirk Johnson, an associate professor of sociology at Washburn University. “The world is not the nice, safe haven for kids that it used to be.”

The many causes for that increase may include: more two-wage families, which means less parental supervision; more single-parent families, with less emphasis on bonding between parents and children; and a society that is more tolerant of violence.

And while there have always been gangs, they are now centered on drugs, he said. In the past, they were centered on turf battles.

Parental Notification -- A Positive Approach to
Communication

Statement presented to the
Federal & State Affairs Committee

by Mary V. Marks, Wife, Mother, & Student
School of Social Welfare, the University of Kansas*

March 27, 1991

The proposed Senate Bill 147 is a positive step in fostering better communication between young women contemplating abortion as the solution to an unwanted pregnancy and their parents.

My reason for urging your passage of this bill are threefold: Integrity of the family, Health of the woman, and Public support for required notification.

First, Integrity of the family. I believe that communication between child and parent should be kept open at all times and that this bill will require an initial attempt at that communication in a crisis situation. This is not a new concept as notification and written approval is required for minors to have their ears pierced, to participate in athletic programs, or receive an aspirin from the school nurse.

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Second, Health of the woman. Abortion is a serious medical procedure. It can be dangerous and has proven deadly in the past. Therefore, reason would dictate us to believe that when a young woman is seeking a medical procedure such as this, parents should be, at least, notified before such a decision is made.

Lastly, public opinion polls show that Kansans overwhelmingly favor parental notification before abortions are performed on minor young women. Just as opposition to funding abortions has resulted in the HYDE amendment on the national level, so too should our state laws reflect the goals of the people of Kansas.

This bill is just one step in the task of promoting better communication among members of the family. I have worked with young people in one program or another for over 30 years and found that minors look for guidance and appreciate concerned parents. I urge you to support Senate Bill 147 and to continue work on other bills that can strengthen the integrity of the American family.

*This statement does not represent the position of the University of Kansas or the School of Social Welfare. The statements represent the thinking and judgment of the presenter.

Senator Riley and members of the Federal and State Affairs Committee:

I am testifying today out of a sense of duty to my fellow citizens in Kansas. My own sad experience has convinced me that the laws of Kansas are promoting injustice and are damaging the basic social unit, the family. My sense of duty compels me to testify in public about things which ordinary propriety would consider a matter of the most intimate privacy. I apologize to those whom my candor offends.

When I was interviewed for a Watkins Scholarship at the University of Kansas, I was asked what my career goals were. Overcoming the impulse to impress the committee with my ambitions, I answered that my foremost ambition was to marry and rear intelligent, responsible children. I did not, and do not believe that anyone can be too well educated to be a parent. I won the scholarship and graduated with honors from K. U.

My husband of twenty-one years is an exceptionally sensitive spouse and dedicated father. He served in Viet Nam the year before our marriage. For over fourteen years he has served the City of Prairie Village as its juvenile officer. He has seen the troubles of teenagers and their parents in Shawnee Mission. I am testifying with his blessing today; his work did not permit him to appear.

We have tried to nurture our three daughters, now seventeen, fifteen and eleven, with the greatest possible care and love, and with the spiritual support of full participation in our Episcopal church. Through the years we have been congratulated by our daughters' teachers and admired by our friends and family for rearing children who are accomplished, especially academically, yet considerate, and well-liked by their peers.

On January 22 I realized that my eldest daughter was not suffering from a stomach flu. I asked her if she was pregnant and she truthfully admitted that she was. My first concern was that she realize that our love for her was absolutely secure, and that she could count on our support. I called my husband at work. He was able to come home and was also most emphatic in assuring our daughter of our love and support. We spent the day talking with our daughter and trying to help her to understand how her pregnancy could fit in with her plans for the future.

Since that day I have been amazed to learn that intelligent, responsible, even pious teenage girls,
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daughters of loving and concerned parents, are not hesitating to become sexually active at age fifteen, despite the fear of AIDS or of pregnancy. They are convinced that the use of a condom makes sex "safe." And to quote my own daughter, they know: "If something *bad* happens, I can always get an abortion."

We urged our daughter to resist pressure from her boyfriend, who is in college on the west coast, and to stretch her own perspective enough to realize that her nine months of inconvenience would be a bearable price for the protection of a helpless human life. We met with her school counselor to consider how the pregnancy would fit in. She was going to have to miss one month of school in September, but would then resume classes.

On February seventh, our daughter kept her breakfast down with no trouble. Becoming concerned that she had deceived us, for the first time I read a letter she had received from her boyfriend. She had left it lying on her desk. It contained \$325.00 in cash. We had written the young man, but had not told his parents about the situation, believing that to be his job. His letter quoted my husband's words. The young man assured our daughter that she need not fear her parents' response if she sneaked out and got an abortion, because her father's love for her is "unconditional."

The abortion had been performed on Tuesday. We took our daughter out of school and straight to our priest on that Thursday. By Friday, she believed that the abortion had been a mistake. My husband and I believe that as our daughter matures her realization of the seriousness of aborting her first-conceived child will also mature, and will burden her conscience at deepening levels for the rest of her life. *Our own grief was immediate and profound.*

Before February 7th, I had not even fully realized that a minor in Kansas may get an abortion without her parents' knowing about it. The possibility of experiencing the consequences of this permissiveness seemed negligible to my husband and me, until it was too late. But teen radio stations advertise the clinic where my daughter got the abortion, right along side ads for Dolly Madison Snack Cakes and songs like "Rock Me in the Cradle of Love."

Concerned parents need the support of state legislation which acknowledges our minor children's need for our guidance and protection.

At age twenty-five, when my long awaited pregnancy with this same girl was verified, when I had a husband of five years who was gainfully employed, the hormonal chaos of early pregnancy threw me into moods when I felt that the pregnancy was a mistake. How likely is it that an unmarried minor, legally insulated from the guidance of her parents, will have the strength of character to resist the sexual, peer, and societal pressures to regard pregnancy as an inconvenience, an obstacle to her short term goals; and abortion as a quick and easy solution?

Please support Senate Bill 147. Support the parents' right to an opportunity to guide and protect their minor daughters, when those girls are subject to emotions and pressures beyond their comprehension.

Susan L. Wilcox
6926 Lamar Avenue
Overland Park 66204

Senator Riley and members of the committee, I am Cleta Renyer, lobbyist for Right to Life of Kansas and a concerned mother. I am giving testimony in favor of parental notification.

Why is it that I am responsible for my child's actions, illness and debts, but kept in the dark about her sexual activities and abortions? It seems that the only time this teenager is an adult is when it comes to pregnancy. At this time, she is suddenly an adult. She is free of parental guidance; her right to privacy is inviolated. Yet if she has future complications from an abortion, clinic personnel are perhaps the ones most protected by her newfound adult status.

The abortion rights advocates explain that there are young people who fear reprisal from unsympathetic parents because of their pregnancies, abused teens who would be further abused if they tell, or teens who could not bear to hurt or embarrass their parents. What these "counselor's" offer is secrecy and a "quick fix" to a troubling situation. But their prescription is a threat to healthy families and does nothing to correct those that are dysfunctional.

Reinforcing a teenager's mistrust of parents when things go wrong is a terrible disservice to the teens. At times, teen logic and parental love are strangers. A child will believe there parents will "kill" them for a lot of things, for example: getting a speeding ticket, skipping chores, or breaking curfew. Encouraging secrecy creates a tremendous burden for that child to have to carry. When will that child ever be able to share with her parents her secrets. Doesn't it seem logical that a teen

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with a secret that big will pull further away from the family circle and out of loves reach.

Neither is secrecy an advantage for the abused child. Do we solve the problem of child abuse for a teenager who is granted an abortion and then sent back into an abusive situation? And do we set aside laws designed to protect healthy families because there are problems in those that are dysfunctional? It can do immeasurable harm to those who are frightened and going through a period in their lives when it is easier to seek and follow advice of peers and strangers than to ask for help from people who love them most.

I am asking the committee to please pass this bill out of the committee.

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Written Testimony

On SB-147, Parental Notification

Dear Members of the Senate Federal and State Affairs Committee:

In order to save you time I am making my presentation in writing.

I am a parent of two teenage daughters, one 17 and the other 14. As I understand the current law, either or both of my daughters could get an abortion without my knowledge or consent. To the best of my knowledge this is the only medical procedure that is ever performed on a minor without the parent's consent or knowledge. Why is this true?


From what I have read and heard abortion is not that minor or safe an operation. I have read of young women dying during the process of an abortion right here in the Kansas City area. I have also read of young women having many physical complications from abortions. I have heard testimonies of young women who have many emotional and mental scars from the experience of having an abortion.

I believe this bill restores my right as a parent. I am responsible for their food, clothing, shelter, health care, mental well being, etc.; and gladly so. They are both a joy to me. To think that I have no right to know if they were ever faced with an operation called an abortion is totally unfair and unjust.

Please see that this bill is quickly passed onto the floor of the Senate, in the process of restoring the rights of the parent.

Thank you for your time and support of this bill.

Sincerely,


Gary E. Grimes

1117 Curtis
Olathe, KS 66061

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