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**Testimony of Colleen Connell, J.D.
Executive Director of the Roger Baldwin Foundation of the ACLU of Illinois
Opposing House Bill 4117(As Amended)
House Agriculture Committee
February 21, 2012**

My name is Colleen Connell. I am the Executive Director of the Roger Baldwin Foundation of the ACLU of Illinois (ACLU). I am a lawyer who has specialized in women's health litigation for almost 30 years. HB 4117, as amended, is about politics, not women's health. This bill is about excessive and unnecessary regulations that do not increase health and safety for women in Illinois. House Bill 4117 singles out abortion for discriminatory treatment that is ideologically, not scientifically, driven and is inconsistent with the system of regulation aggressively enforced by the Illinois Department of Public Health (IDPH).

Illinois already enforces vigorous regulations on women's health care clinics. In *Ragsdale v. Turnock*, a case I was the lead lawyer on, the United States District Court and Court of Appeals enjoined the State from applying the ASTC Act to facilities where abortions were performed because the State's regulatory

scheme was unconstitutional – it infringed on women’s ability to terminate a pregnancy with excessive and medically unnecessary regulation. Pursuant to a Consent Decree in *Ragsdale v. Turnock*, IDPH regulated facilities again in accordance with science, tailored to patient health and safety.

IDPH enforces an extensive set of regulations for facilities in which surgery, including abortion is performed and does so on based on medical evidence. This bill will upend this system and again impose an unconstitutional set of regulations driven by ideology rather than patient safety

If this bill becomes law, women will be denied not only from access to abortion but also access to contraception. 92% of the counties in Illinois already have no abortion provider. By imposing costly and unnecessary regulations, House Bill 4117 will force many of the remaining facilities to close, leaving women without access not only abortion care, but to access to contraception and the array of other essential medical care provided in these facilities.

In addition to obstructing access to essential medical care, House Bill 4117 imposes additional, and medically unnecessary, regulatory burdens on the Department of Public Health, at increased cost to the taxpayers of this state. In these economically challenging times, it is difficult to understand how this body could choose to impose unnecessary regulatory burdens on our State’s governmental agencies.

Let me be blunt. Don't play politics with women's health care. That is what this bill does. There can be no purpose in upending the existing system of regulation other than to seek to impose the same unconstitutional burdens on the fundamental right to terminate pregnancy that led the federal courts to enjoin the ASTC regulations in *Ragsdale v. Turnock*. We urge you to let science dictate state policy and avoid the unnecessary cost to the State of Illinois of further litigation about regulatory requirements long found to impose a substantial burden with no medical justifications. We urge you to stop playing politics with women's health care. Women are not livestock. Vote NO on House Bill 4117. Thank you.