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LWVSC Testimony, H.4760, Abortion Inducing Drugs

The League was established 105 years ago in large part to promote the right and ability of girls and women to a full voice in decisions affecting their private and public lives. We continue to do so in opposing this bill.

H.4760 classifies abortion medications Mifepristone and Misoprostol as Schedule IV substances. This is a category that exists to protect patients from drugs that can cause harm or addiction in those taking them. These drugs do not risk either of those harms. They are safer than many drugs available without a prescription, and it is absurd to suppose that they might become addictive. Pregnant people do not need to be protected from them.

This is an attempt to prevent abortions, including those that are at present legally permissible. The South Carolina Supreme Court has said that the six-week interval before abortion is banned under current law adequately protects the privacy rights of pregnant persons. This bill is, among other things, an attempted evasion of that protection. Medication abortion is especially associated with the earliest phases of pregnancy.

The bill creates felony charges for the delivery, possession, and distribution of abortion medication. Pregnant persons are exempted from these possible charges, but this is no comfort when access is effectively denied or delayed so long that the existing legally permissible six-week period for ending a pregnancy has lapsed. Further, the bill creates a right of a broad range of individuals who can bring civil suits, raising a significant potential for abusive or malicious litigation by those whose motives are far from benign.

In the process of creating these harms, this reclassification would impede use of these drugs in many contexts other than abortion care. They are used every day in managing miscarriages, to treat postpartum hemorrhage, to induce labor, to aid in IUD insertion, to treat Cushing's syndrome, and to prevent ulcers.

H. 4760 increases policing and surveillance of pregnancy. It expands efforts to control the lives of girls and women in ways that have far-reaching impacts on their lives. The League of Women Voters of South Carolina strongly opposes this bill, which would deny the ability of those who are pregnant to make informed and rational decisions for themselves. Those who are pregnant are fully capable of making their own decisions and must be able to exercise their right to bodily autonomy and to these safe, evidence-based medications.

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