



WHAT ARE WE VOTING FOR (OR AGAINST?

What is reproductive freedom?

MARYLAND LAW

Part I

What it is now and what it will remain

Maryland Freedom of Choice Act of 1991

- “The State may not interfere with the decision of a woman to terminate a pregnancy: (1) Before the fetus is viable; or (2) At any time during the woman’s pregnancy, if [t]he termination procedure is necessary to protect **the life or health of the woman**; or . . . [t]he fetus is affected by genetic defect or serious deformity or abnormality.”
- Abortion for any reason through all 9 months of pregnancy is legal in Maryland.
- Parental notification for minor girls is determined by the abortion provider

MENTAL HEALTH ACCESS INITIATIVE OF 2021

What it says. . .

“For the purpose of altering the minimum age at which a minor has the same capacity as an adult to consent to consultation, diagnosis, and certain treatment of a mental or emotional disorder by a health care provider or clinic providing that a health care provider may decide to provide certain information to a certain parent, guardian, or custodian under certain provisions of law **unless the health care provider believes that the disclosure will lead to harm to the minor or deter the minor from seeking care**; and generally relating to the consultation, diagnosis,, and treatment of mental and emotional disorders and consent by minors.”

What it does. . .

- “A minor who is **12 years old** or older who is **determined by a health care provider** to be mature and capable of giving informed consent has the same capacity as an adult to consent to consultation, diagnosis, and treatment of a mental or emotional disorder by [a] the health care provider or a clinic.”
- “A health care provider may decide to provide information to a parent, guardian, or custodian of a minor under paragraphs (1) and (2) of this subsection **unless the health care provider believes that the disclosure will lead to harm to the minor or deter the minor from seeking care.**

ABORTION CARE ACCESS ACT OF 2022

- Removed the physician requirement for providing surgical and medical abortions.
- The abortion is provided by a “qualified provider” who is an individual licensed, certified, or otherwise authorized by law to practice in the State.
- Medicaid must pay for abortions.
- All health insurance providers must cover abortions without copays, deductibles or cost-sharing.
- Parental notification for minor girls is determined by the qualified provider.
- A “special, nonlapsing fund” of \$3.5 million in the annual budget was established for the purpose of abortion training.

Trans Health Equity Act of 2023

- Nondiscrimination to provide all drugs and surgeries for “gender affirming” care, **including puberty blockers**
- Minors included
- Medicaid must pay for the drugs and surgeries
- Amendments to exclude minors and require parental notification were voted down

CONSTITUTIONAL AMENDMENT Part II

DECLARATION OF RIGHTS - RIGHT TO REPRODUCTIVE FREEDOM

- The Constitution will be amended to say:
- “That every **person**, as a central component of an **individual**’s right to liberty and equality, has the fundamental right to **reproductive freedom, including but not limited to** the ability to make and effectuate decisions to prevent, continue, or end one’s own pregnancy. **The State may not, directly or indirectly, deny, burden, or abridge the right unless justified by a compelling state interest achieved by the least restrictive means.**”

The Ballot Question

This or similar language will be on the ballot:

Question ____ Constitutional Amendment

The proposed amendment confirms an **individual's** fundamental right to an **individual's** own reproductive liberty and provides the State may not, directly or indirectly, deny, burden, or abridge the right unless justified by a compelling State interest achieved by the least restrictive means.

☐ For the constitutional amendment

☐ Against the constitutional amendment

WORDS MATTER

Amendments Denied

- Change the words person and/or individual to woman
- Exclude minors from the amendment
- Replace reproductive freedom with “abortion”
- Match the ballot language to the amendment language

Undefined Terms

- Person
- Individual
- Reproductive Freedom
- Reproductive Liberty
- Reproductive Autonomy

Marijuana Legalization Amendment

Ballot Question 4 said this:

Do you favor the legalization of the use of cannabis by an **individual who is at least 21 years of age** on or after July 1, 2023, in the state of Maryland?

- ☐ For the constitutional amendment
- ☐ Against the constitutional amendment

TAKE ACTION

Defeat Reproductive Harm

STATE BY STATE

- A “reproductive freedom” amendment has passed in CALIFORNIA, MICHIGAN, OHIO and VERMONT.
- MARYLAND and NEW YORK already have the “reproductive amendment” on the November 2024 ballot
- Proponents are pushing to get this amendment on the ballot in 10 other states, including PENNSYLVANIA and ARIZONA.

WHAT'S THE HARM?

- Loss of parental rights
- Decreased quality and safety for medical care
- Crisis pregnancy centers litigated into closing
- Loss of conscience protection for healthcare professionals
- Loss of free speech

YOU CAN HELP

- Understand the language
- Stay informed, spread the word
- Website – healthnotharmmd.org
- Volunteer – contact **Health Not Harm MD**
healthnotharmmd@gmail.com

- Donate:

Checks payable to **Health Not Harm MD**

Mail to:

Health Not Harm MD

PO Box 599

Fallston, MD 21047



Thank You