

Unconstitutional attack on reproductive health must not stand

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In the U.S., abortion is a safe and common medical procedure that remains an important component of reproductive health care, which in turn is essential to overall health and well-being. Our AMA will always fight government intrusion that compromises access to safe, evidence-based clinical care, including access to abortion services.

That is why we have joined more than two dozen medical societies and organizations representing physicians, nurses and other health professionals in asking the U.S. Supreme Court to sustain lower court rulings that blocked a 2018 Mississippi law banning abortions after the first 15 weeks of pregnancy. Oral arguments in the case, *Dobbs v. Jackson Women's Health Organization*, are scheduled for Dec. 1.

Mississippi's 15-week ban certainly intrudes upon the patient-physician relationship. But it also impermissibly violates medical ethics by forcing clinicians to choose between offering care that reflects their best medical judgment or risk losing their medical licenses. That choice is unacceptable. Free, open and honest communication between physicians and patients is a cornerstone of effective health care.

Placing patients at risk

Allowing the lawmakers of Mississippi or any other state to substitute their own views in place of a physician's expert medical judgment puts patients at risk, and is antithetical to public health and sound medical practice. Medical ethics demand that the health and well-being of the patient form the basis of all medical decision-making; our AMA Code of Ethics requires physicians to place patients' welfare "above the physician's own self-interest *or obligations to others*" (emphasis added).

It is abundantly clear that any attempt to restrict the ability of physicians to provide safe and effective clinical care to their patients through informed decision-making represents nothing less than a direct

assault on the patient-physician relationship. Our AMA has and always will vigorously oppose attempts by government or any other third party to interfere with the practice of sound, evidence-based medicine in the exam room or any other clinical setting.

We are not alone in taking this position. Other medical societies joining us in filing this amicus brief include the American College of Obstetricians and Gynecologists, the American Academy of Nursing, the American Psychiatric Association, the National Medical Association and the American Society for Reproductive Medicine, among many others. Read the full text of the amicus brief ([PDF](#)).

It is important to note that the issue of supporting or opposing abortion is a matter for AMA members to decide for themselves, based on their own personal values and beliefs. But at the same time, our AMA will always take action opposing any attempt to compromise or obstruct access to safe reproductive health care for all patients, including patients of color, those with limited means, and those living in rural areas, each of whom is placed at greatest peril by attempts to ban or severely limit abortion rights.

A misguided attempt

Mississippi's misguided attempt to ban almost all abortions after 15 weeks of pregnancy as a means of "protecting the health of women" has no basis in medical science. Ample evidence shows that the risk of death during or after childbirth is approximately 14 times higher than the risk of death from abortion-related complications.

Indeed, instead of protecting patients' health, the 15-week ban endangers them by undermining the basis of medical decision-making that is informed by medical science and shaped by patient autonomy.

Physicians must be allowed to bring their training, knowledge and experience to bear in helping patients decide on a course of treatment in their own best interest through informed consent. Barring physicians from doing so, as Mississippi's law would do, undermines the practice of medicine.