

Iowa Supreme Court Refuses to Protect Women

The Iowa Supreme Court issued a unanimous decision ruling that the Iowa Board of Medicine's ban on the unsafe practice of "webcam" abortion, is unconstitutional. That means webcam abortion will be cleared to continue in the state of Iowa. "Webcam" abortion is a procedure in which women are given drugs to kill their baby remotely through a video conferencing system, without an in-person examination by a doctor. The abortionist is at one location and uses a closed circuit TV to talk over a computer video screen with a woman who is at another location. The abortion drugs are dispensed by a remote control which opens a drawer near the woman. She removes the pills herself. The abortionist never sees the woman in person. They're never actually in the same room.

Not only is the baby is killed through the webcam abortion, which is bad enough, but the Iowa Supreme Court decision allows an abortionist to defy common sense medical standards of care that are meant to protect women's safety. No other medical standard of care allows a doctor to be absent when a medical procedure is performed that affects the body in such a major and serious way as an abortion does. Abortionists should be held to the same basic medical standards every other doctor must follow.

The Iowa Board of Medicine is charged with the responsibility to ensure the practice of medicine is safe and effective in Iowa. The Board banned webcam abortion because they determined it to be an unsafe practice of medicine. The Board of Medicine is best situated to make those determinations for the state, not the Iowa Supreme Court. It is unfortunate that the Iowa Supreme Court did not defer to the Board, but rather ruled against their knowledge and expertise.

The justices ruled 6-0 in favor of Planned Parenthood, that the Board of Medicine's ban violated "a woman's right to terminate her pregnancy", and is therefore unconstitutional under both the state and federal constitutions. They claimed the rule places an "undue burden" on "a woman's right to terminate her pregnancy" as defined by the United States Supreme Court.

The Board of Medicine, in a statement responding to the decision, reiterated their position that the ban was adopted to address a situation which the Board believed to be the unsafe practice of medicine. The Board also maintained their belief that the rule did not place an undue burden on a woman who chooses to terminate their pregnancy. Board of Medicine executive director Mark Bowden said that the Board would discuss the Court's ruling at its meeting on July 9-10.

The option of appealing this decision in federal court will be explored.

Nineteen states have enacted laws prohibiting webcam abortion. The Iowa House passed a bill to do this last year but the Senate did not take it up.

In 2008, Planned Parenthood of the Heartland started using a first-in-the-nation video-conferencing system. More than 6,400 women have used it to obtain abortion pills at clinics since then.

In 2013, the Iowa Board of Medicine adopted a rule requiring a physician to personally perform a physical examination of the woman to determine the age and location of the pregnancy, personally dispense the abortion-inducing drug, and schedule a follow-up appointment with the woman at the same clinic to confirm the abortion had occurred and evaluate the woman's medical condition.

Planned Parenthood of the Heartland along with abortionist Jill Meadows challenged the decision of the Board of Medicine in court. In August of 2014, a Polk County District Court judge ruled that the Iowa Board of Medicine operated within their authority when they voted to ban that system. Planned Parenthood of the Heartland and Meadows appealed to the Iowa Supreme Court.

More Highlights from Budget Bills

Medicaid Asset Verification Program: Requires DHS to contract to establish an electronic asset verification system for Medicaid to help contain costs

Co-Pay Equity for Physical Therapists, Occupational Therapists, and Speech Pathologists: establishes that co-pays of the above medical professionals are no greater than chiropractors for similar diagnosed conditions.

Health Policy Oversight Committee: Set up to address any issues that may arise from the transition of Medicaid to managed care.

EMS Bureau: Funding to update equipment and better assist EMS providers in the field

Connect Every Acre Broadband Bill: Creates a 10-year property tax exemption for high-speed internet investments made by companies in areas with relatively slow internet speeds.

All Iowa Opportunity Scholarship: Change allows the student receiving the scholarship the option of spreading it over 2 years instead of getting it all in the first year. Special Note: this suggestion originated with Wartburg Financial Aid Office.

Use of Physical Plant and Equipment Levy (PPEL) Funds: Expands the use of PPEL to include the repair of the following if it has been purchased with PPEL dollars: equipment and technology, school buses, and recreational equipment.

At-Risk, Alternative, and Dropout Education Funding: Allows cross-programming by allowing funding for any of these programs to be used for the others.

Talented and Gifted Program: The Dept. of Education is required to employ a full-time Talented and Gifted Coordinator to administer the program.

Renewable Fuel Infrastructure Grant Program: Change to require equipment must be able to accommodate E-15 fuel.

Child Care Assistance Eligibility - Increase from 145% to 150% FPL (\$2.8 million)

Radios for Dept. of Public Safety: \$2.5 million

Refugee Family Support Services Pilot Program: Work with refugees to help them settle in the community

Online Learning Program: Extends the sunset date 3 years plus other changes

Feel free to contact me with ideas, thoughts, and concerns. My phone is 319-987-3021 or you can email me at sandy.salmon@legis.iowa.gov . I want to hear what you are thinking and will listen to your input. Together we will work to make a difference for the future of Iowa. Thank you very much for the honor of representing you!

Sincerely,

Sandy