

Resolution for Medical Emergencies Within Pro-Life Laws

Whereas, Texas law currently outlaws elective abortion from the moment of fertilization, with the only exception for medical emergencies of a pregnant woman; and

Whereas, the definitions of abortion and medical emergency in Texas law are not new, but make clear that the intent of the procedure matters - whether that is to end a preborn child's life or to save a mother's life; and

Whereas, Texas law does not consider the removal of an ectopic pregnancy and miscarriage treatment as an abortion, and doctors may intervene if a pregnant woman's life or major bodily function are at risk, and that this risk does not need to be imminent; and

Whereas, the law is clear, but implementation since the *Dobbs v. Jackson Women's Health Organization* decision has been problematic, with abortion activists, the media, and some medical professionals claiming doctors are not allowed to act when a mother faces a medical emergency; and

Whereas, this false and misleading rhetoric has led doctors to deny care to women that is permitted under the law, putting women's lives unnecessarily at risk and leading to lawsuits against the state; and

Whereas, these recent lawsuits claim to seek clarification of the law, but are brought by pro-abortion organizations attempting to conflate issues and expand access to elective abortion in our state; and

Whereas, the state's health agencies (Health and Human Services Commission and Texas Medical Board) which oversee doctors, health facilities, and their compliance with the law have the jurisdiction to release guidelines advising doctors on the law, but have refused to do so and clear the confusion;

Therefore, be it resolved that the Republican Party of _____ County recommends the Platform and the Legislative Priorities Committees of the State Convention adopt as both a Platform Plank and Legislative Priority that reads:

____. The Republican Party of Texas supports the current medical emergency exception within Texas' Pro-Life laws and does not support the addition of any other weakening exceptions. The law does not need to be altered, but implementation does need to be addressed. We urge the Governor, Legislature, and health agencies to do everything in their power to educate and inform medical professionals and the public about the law - that women are not required to be at death's door before care can be rendered in qualifying medical emergency situations, including but not limited to cases of preterm premature rupture of the membranes (PPROM).

Adopted this _____ day of _____, 2024, at the Precinct Convention of Precinct # ____ of the _____ County Republican Party of Texas.

Background for Medical Emergencies Within Pro-Life Laws

Background: Under current law, abortion in Texas is prohibited from fertilization, with the only exception for medical emergencies of a pregnant woman. Sometimes, this intervention tragically can involve ending a pregnancy before the preborn child can survive outside of the womb. The death of the child is sometimes an unfortunate result of this sort of medical intervention. However, it is critical to note that unlike elective abortion, the intention in these situations is not to end the life of the child, but rather to save the mother's life. Because of the different intent, these procedures are considered legally and morally different.

The definitions of abortion and medical emergency in Texas law are not new. These definitions make clear that:

- Removal of an ectopic pregnancy and miscarriage treatment are not considered abortion, and
- Doctors may and should intervene if a pregnant woman's life or major bodily function are at risk, and that risk does not have to be imminent.

Problem: While the law is clear, implementation in this post-*Roe* world has been the problem. Abortion activists, the media, Democratic lawmakers, and even some medical professionals have made the claim that doctors are not allowed to act to save a mother's life even when it is in danger. This false and misleading rhetoric has led doctors to deny care to women that is permitted under the law, putting women's lives unnecessarily at risk. This has led to lawsuits against the state claiming to seek clarification of the law, but truly attempting to expand access to elective abortion in Texas.

The state's executive government agencies which oversee doctors and their compliance with the law have the jurisdiction to release guidelines advising doctors on what the law allows and put them at ease. However, none of these agencies have taken any action to do so to clear the confusion.

Solution: The current medical emergency definition in Texas Pro-Life law is good policy and does not need to be altered. Implementation is what needs to be addressed so that mothers' lives are not unnecessarily put at risk. Therefore, we urge the Governor, Legislature, and health agencies (Health and Human Services Commission and Texas Medical Board) to do everything in their power to educate and inform medical professionals and the public of the law - that it does not require a woman to be at death's door before care is rendered but that it allows for women's lives to be saved in qualifying medical emergencies, including but not limited to preterm premature rupture of the membranes (PPROM). Pro-Life Texans care for the lives of both preborn children and their mothers.