



The Reality of HB2: Texas Legislators Lock Women Out of Abortion Care

On March 6, 2014, Whole Woman's Health, the largest independent abortion provider in Texas, is announcing the closure of two comprehensive reproductive health clinics in rural Texas in the aftermath of the passage of Texas House Bill 2. These clinics, located in McAllen and Beaumont, Texas, serve a population that now will have to travel significant distances to get abortion care.

Abortion Restrictions in Texas:

HB2, passed by the Texas legislature in 2013 despite a now-famous filibuster by Sen. Wendy David, is onerous legislation designed to shut down health care clinics that provide abortion care. HB2 requires:

- Abortion clinics to meet the minimum standards of ambulatory surgical centers (ASCs) by Sept. 2014;
- All physicians who perform abortions to have hospital admitting privileges within a 30 mile radius;
- Medical abortions (an abortion using FDA-approved medications) have increased restrictions including a ban on providing them past 7 weeks and also requiring women to visit the clinic 4 separate times (24 hours in advance of the abortion for a sonogram. Then for the first and second doses of the drug. Finally, a woman must return within 14 days for a follow-up visit);
- A ban on abortion after 20 weeks gestation, unless necessary to prevent a substantial permanent impairment of the life or physical health of the woman or in the case of a severe fetal anomaly.¹

None of these restrictions are medically necessary, based on medical evidence, nor do they increase patient safety.²

Texas has prior medically unnecessary restrictions placed on abortion care including:

- A woman must undergo an ultrasound before obtaining an abortion; the provider must show and describe the image to the woman. The provider must also offer to each woman the option to listen to the heartbeat. If the woman lives within 100 miles of an abortion provider she must obtain the ultrasound at least 24 hours before the abortion.
- A woman must receive state-directed counseling that includes information designed to discourage her from having an abortion and then wait 24 hours before the procedure is provided.
- The parent of a minor must be notified and consent before an abortion is provided.
- Medicaid coverage is available for abortion only in cases of life endangerment, rape or incest.³

¹ HB2, the Special Session and What's Next. NARAL Pro-Choice Texas and Whole Woman's Health. <http://www.prochoicetexas.org/in-our-state/hb2facts.shtml>

² Abortion restrictions in context: Literature Review. The Texas Policy Evaluation Project. <http://www.utexas.edu/cola/orgs/txpep/files/pdf/AbortionRestrictionsinContext-LiteratureReview.pdf>

³ State Facts About Abortion: Texas. Guttmacher Institute. <http://www.guttmacher.org/pubs/efsa/texas.html>

Broader Impact of HB2 on the Availability of Abortion for Texas Women:

The new abortion laws are quickly decimating abortion care facilities in Texas. In 2011 there were 44 facilities offering abortion care, this decreased to 36 in 2013 due to prior restrictions, and now there are 22 as a result of HB2. With the closing of these two Whole Woman's Health facilities the number goes down to 20. This number will likely decrease to 6 on September 1, 2014 when the final requirements of the law go into effect. The clinics in McAllen and Beaumont were the final clinics operating in rural Texas. After September, the only remaining clinics will be in the five largest cities – Dallas, Fort Worth, Houston, Austin and San Antonio – leaving hundreds and hundreds of miles of Texas without safe abortion care.

Low-income women, women of color and rural women bear the brunt of these harsh laws. Some women will not be able to end their pregnancy safely with the support of medical experts like those at Whole Woman's Health because they face too many barriers--they won't have the time off, or the money it takes to travel the long distances. Some will resort to inducing their own abortion without medical assistance. A pre-Roe landscape is now emerging in Texas where your ability to receive abortion care is determined primarily by your socioeconomic class and zip code.

About Whole Woman's Health:

Whole Woman's Health is a woman owned and woman centered organization committed to providing holistic healthcare for women. Its clinics provide comprehensive gynecology services, including compassionate abortion care. Its philosophy is that each woman must be at the center of her own healthcare decisions, and that treating each woman holistically will better serve women and improve health and happiness in our communities. It has 8 facilities, 6 located in Texas—Austin, Beaumont, Fort Worth, McAllen, two in San Antonio; one in Minneapolis, MN and one in Baltimore, MD. For more information visit: www.wholewomanshealth.com.

Whole Woman's Health of Beaumont clinic profile

Whole Woman's Health of Beaumont purchased the only abortion clinic in Beaumont and was founded in 2004. East Texas has always had a legal and professional provider of safe abortion care since *Roe v. Wade* in 1973. WWH Beaumont sees approximately 1,200 women annually and is the only abortion care provider in the 350 miles between Houston and New Orleans. Whole Woman's Health of Beaumont is accredited by the Texas Department of State Health Services, the National Abortion Federation, and is a member of the Abortion Care Network.

Beaumont is in East Texas and part of a region known as the Golden Triangle along with Port Arthur and Orange, Texas. The majority of residents in the area work in the oil, gas and auto industry and our facility served women in both East Texas and throughout Western Louisiana. Without a provider in Beaumont, the nearest provider is 90 miles away in Houston. The women in the Beaumont community and beyond face many barriers that prohibit them from obtaining the full range of healthcare options. In addition to those facing any woman in Texas seeking an abortion, such as a two visit requirement and waiting period, they also must deal with increased transportation costs, procedure costs, childcare costs, and time off from work.

• Estimated Population in 2012	118,228
• Reproductive Age Women (15-45) ⁴	73,812
• Median Household income	\$40,765
• Persons below poverty line	22.3%

⁴ Calculated by the Texas Policy Evaluation Project using the 2010 Census and the 2010 American Communities Survey 5-year file

The typical WWH patient is identical to the demographic of Beaumont.

- Race 40% African American
- Marital Status Single
- Health Insurance None
- Age 19-35 years of age

Whole Woman's Health of McAllen clinic profile

Whole Woman's Health of McAllen began as a private abortion clinic in 1973, remaining in the same location since *Roe v. Wade* made abortion legal. It was purchased in 2004 by Whole Woman's Health. McAllen has always been an area in which the women of that community could rely on safe access to abortion care. Whole Woman's Health of McAllen is accredited by the National Abortion Federation, members of the Abortion Care Network and in good standing with the Texas Department of State Health Services.

McAllen is the second largest city in the Rio Grande Valley, which has one of the highest rates of poverty, uninsured residents, unemployment as well as low income, not only in Texas, but in the entire United States. As such, the counties in the RGV have been designated as federally recognized medically underserved counties. The four counties that make up the Rio Grande Valley are located in the southernmost border of South Texas and encompass about 43,000 sq miles.⁵ The population is 90% Hispanic.⁶ Many of the residents in these counties were born in Mexico and a fifth of the population is not a U.S. citizen.⁷ More than 20% speak only Spanish or very little English.⁸

Before the implementation of HB2, there were only 2 providers who provided abortion services in the Rio Grande Valley (RGV). Both have had to discontinue providing abortion services. The next closest clinic is in San Antonio, Texas, (230 miles away). There is currently a clinic in Corpus Christi – 150 miles away – but it is facing closure in September 2014.

- Estimated Population of the RGV in 2012 1,288,759
- Reproductive Age Women (15-45) 305,307
- Median Household income \$28,382
- Persons below poverty level 37.2%

The typical 1,700 patients Whole Woman's Health of McAllen sees annually is identical to the demographic of McAllen.

- Race 85% Hispanic
- Marital Status Married
- Health Insurance None
- Average age 30 years

⁵ David M. Vigness and Mark Odintz. Texas State Historical Association. "RIO GRANDE VALLEY," Handbook of Texas Online (<http://www.tshaonline.org/handbook/online/articles/ryr01>), accessed February 25, 2014.

⁶ Internal calculation using the U.S. Census Bureau, 2010-2012 American Community Survey

⁷ Ibid

⁸ Ibid

Map of Whole Woman’s Health clinics in McAllen and Beaumont.

