



WISCONSIN FAMILY ACTION
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**TESTIMONY ON SENATE BILL 175
ASSEMBLY COMMITTEE ON HEALTH
TUESDAY, MAY 7, 2019
JULAIN K. APPLING, PRESIDENT**

Thank you, Chairman Wanggaard and committee members, for holding this hearing on Senate Bill 175. Wisconsin Family Action supports this bill with at least one reservation. I regret that I am unable to attend the hearing due to a previously scheduled business trip and appreciate the opportunity to submit this testimony digitally.

Senate Bill 175, the “Born-Alive Protection Act,” at a minimum clarifies the standard of medical care expected for a baby who survives an abortion or an attempted abortion, a clarification that highlights that in Wisconsin we will rightly value and protect all babies born alive. Some have indicated existing law is sufficient to ensure these babies are given appropriate medical treatment; however, the law nowhere specifically addresses babies who survive an abortion or attempted abortion. This bill does that and specifies the standard of care, which would include transportation to and admittance in a hospital.

We also believe it is also important that our law specifies that it is murder when a child born alive dies because he or she is intentionally neglected. Requiring those who know about such neglect to report it is also an important addition to our laws.

Our concern has to do with Section 2 of the bill. We do not believe it is appropriate to give anyone immunity in a situation where a child born alive is intentionally killed, even if that child is born alive as a result of an abortion or attempted abortion. This is a very different situation from providing the mother immunity from prosecution for having the abortion. In essence this provision in the bill actually allows for infanticide while rightly seeking to prevent infanticide.

While we support the intent of the bill and the vast majority of the provisions, we find Section 2 very problematic; and urge the authors to consider removing this provision.

We also support recommendations made by others speaking in support of this bill today.