



Rhode Island | RANKING 38

Rhode Island provides very basic protections for women and girls considering abortion; however, it has failed to respond appropriately to the growing use of abortion-inducing drugs, increasing evidence of substandard abortion facilities, and increasing evidence of abortion's harm to women. It also fails to provide adequate legal protections for unborn children in contexts outside of abortion.

ABORTION

- Rhode Island passed legislation maximally limiting the state's ability to regulate abortion.
- Rhode Island's informed consent law requires that a woman seeking an abortion be informed of the probable gestational age of her unborn child and the nature and risks of the proposed abortion procedure. The woman must also sign a statement indicating she was informed that, if she decides to carry her child to term, she may be able to place the child with either a relative or with another family through foster care or adoption.
- A physician may not perform an abortion on an unemancipated minor under the age of 18 without the consent of one parent unless there is a medical emergency or the minor obtains a court order. The physician will have engaged in "unprofessional conduct" if he or she fails to follow this requirement.
- Rhode Island has a system of abortion clinic regulations under which different standards apply at different stages of pregnancy and different facilities may be used to perform abortions at different stages of gestation.
- A licensed physician or "other licensed healthcare practitioner acting within his/her scope of practice" may perform non-surgical abortions. The performance of surgical abortions is limited to physicians.
- Rhode Island has an enforceable abortion reporting law but does not require the reporting of information to the Centers for Disease Control (CDC). The measure applies to both surgical and nonsurgical abortions.
- Rhode Island follows the federal standard for Medicaid funding for abortions, permitting the use of federal or state matching Medicaid funds for abortions necessary to preserve the life of the woman or when the pregnancy is the result of rape or incest.
- Rhode Island allows abortion coverage for public employees (including city and town employees).

LEGAL RECOGNITION AND PROTECTION OF UNBORN CHILDREN AND NEWLY BORN INFANTS

- Any physician, nurse, or other licensed medical provider who knowingly and intentionally fails to provide reasonable medical care and treatment to an infant born alive in the course of an abortion, and as a result the infant dies, is guilty of the crime of manslaughter.
- Assault or battery against a pregnant woman that results in the termination of her pregnancy is a felony assault.

- It allows a wrongful death (civil) action when a viable unborn child is killed through a negligent or criminal act.
- Rhode Island defines substance abuse during pregnancy as “child abuse” under civil child-welfare statutes. It also requires healthcare professionals to report suspected prenatal drug exposure.
- Rhode Island maintains a measure allowing a woman who loses a child after 20 weeks of pregnancy to obtain a Certificate of Birth Resulting in Still Birth.

BIOETHICS LAWS

- Rhode Island allows cloning to produce children, as well as for biomedical research, making it a “clone-and-kill” state.
- Rhode Island prohibits harmful experimentation on a live human fetus but allows experimentation on a dead fetus if consent of the mother is obtained.
- Every obstetrical professional or facility is to inform a pregnant woman of the options relating to stem cells that are contained in the umbilical cord blood, and each hospital or other obstetrical facility must cooperate with the collection staff of a cord blood bank designated by the woman and facilitate the donation of the cord blood.
- Rhode Island maintains no meaningful regulation of assisted reproductive technologies or human egg harvesting.

PATIENT PROTECTION LAWS

- Under Rhode Island law, assisting a suicide is a felony.

HEALTHCARE FREEDOM OF CONSCIENCE

PARTICIPATION IN ABORTION AND CONTRACEPTION

- A physician or other person associated with, employed by, or on the staff of a healthcare facility who objects in writing and on religious or moral grounds is not required to participate in abortions. Refusal to participate cannot be the basis for disciplinary or recriminatory action against the physician or staff member.
- Health insurance plans that provide prescription coverage are also required to provide coverage for contraception. The provision includes a conscience exemption so narrow it precludes the ability of most employers and insurers with moral or religious objections from exercising it.

PARTICIPATION IN RESEARCH HARMFUL TO HUMAN LIFE

- Rhode Island provides no protection for the rights of healthcare providers who conscientiously object to participation in human cloning, destructive embryo research, and other forms of medical research that violate a provider’s moral or religious beliefs.

WHAT HAPPENS AFTER *ROE* IS OVERTURNED?

- Abortion will be legal throughout pregnancy.

RECOMMENDATIONS

FOR RHODE ISLAND

WOMEN'S PROTECTION PROJECT PRIORITIES

- Enhanced penalties and enforcement mechanisms for the state's abortion-related laws
 - Reflection period for abortion
 - Coercive Abuse Against Mothers Prevention Act
 - Women's Health Protection Act (abortion clinic regulations, emergency transfer and admission provisions))
 - Drug-Induced Abortion Information and Reporting Act
 - Parental Involvement Enhancement Act
 - Child Protection Act
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INFANTS' PROTECTION PROJECT PRIORITIES

- Unborn Infants Dignity Act
 - Prenatal Nondiscrimination Act
 - Perinatal Hospice Information Act
 - Unborn Infants Wrongful Death Act
 - Reinstate the Partial-birth Abortion Ban Act
 - Reinstate the fetal homicide law
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PATIENT PROTECTION ACT PRIORITIES

- Joint Resolution Opposing Suicide by Physician
 - Charlie Gard Act (formerly the Life Sustaining Care Act)
 - Pain Management Education Act
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ADDITIONAL PRIORITIES

ABORTION

- Defunding the Abortion Industry and Advancing Women's Health Act
- Federal Abortion-Mandate Opt-Out Act

LEGAL RECOGNITION AND PROTECTION FOR THE UNBORN

- Crimes Against the Unborn Child Act (providing protection from conception)
- Pregnant Woman's Protection Act

BIOETHICS

- Human Cloning Prohibition Act
- Destructive Embryo Research Act
- Prohibition on Public Funding of Human Cloning and Destructive Embryo Research Act

HEALTHCARE FREEDOM OF CONSCIENCE

- Healthcare Freedom of Conscience Act