

MASSACHUSETTS CATHOLIC CONFERENCE  
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Hon. Mitt Romney  
Governor  
State House  
Boston, MA 02133

July 21, 2005

Dear Governor:

The Massachusetts Catholic Conference opposes the legislation currently before the state legislature dealing with emergency contraception and urges your veto.

The legislation would mandate the offering of emergency contraception to rape victims regardless of whether it is medically indicated, and regardless of whether the medical effect would be abortifacient. The legislation also would permit the widespread dispensing of emergency contraception over the counter without a prescription as a response to unprotected sexual intercourse, regardless of the age of or the medical risks to the individual requesting the contraception, and without ensuring any parental involvement in the case of minors.

Catholic hospitals provide compassionate care to women victimized by rape, and that care includes the provision of medication to prevent ovulation and conception, when medically indicated in light of the woman's medical history and condition. Our facilities can not provide such medication when a woman has ovulated around the time of the rape because of the demonstrated risk of "breakthrough" conception and consequent failure of the embryo in the fallopian tube to implant in the uterus due to the medication's toxicity. Interfering with the embryo's implantation causes death and thus results in an abortion.<sup>1</sup>

This impact on the human embryo's implantation is acknowledged by the Food & Drug Administration, Planned Parenthood Federation of America, Inc., "Not-2-Late.com", and Planned Parenthood League of Massachusetts.<sup>2</sup> In light of this, the legislation would constitute the first ever abortion-involvement mandate under the laws of Massachusetts.

Enactment of the emergency contraception legislation would not advance sound public policy, changes the law by instituting forced involvement with abortifacient methods, paves the way for future abortion-involvement mandates involving chemical and surgical abortions, imperils the safety of women, especially minors, and interferes with the parent-child relationship. In light of these concerns, the Massachusetts Catholic Conference opposes this legislation and urges your veto.

Sincerely,



Maria Parker, M.B.A.  
Interim Executive Director

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<sup>1</sup> M.G.L. chapter 112, § 12K, defines abortion as “the knowing destruction of the life of an unborn child or the intentional expulsion or removal of an unborn child from the womb other than for the principal purpose of producing a live birth or removing a dead fetus.” M.G.L. chapter 112, § 12K, as recently amended, defines “unborn child” as “the individual human life in existence and developing from implantation of the embryo in the uterus until birth.” The Act amending this definition requires that the term “uterus” be defined as including the fallopian tube. See 2005 Mass. Acts 27, § 1 (“As used in this chapter, the following words shall have the following meanings”, and then defines, among other terms, the term “Uterus” as “a uterus or fallopian tube.”). When reading all these provisions together, Massachusetts law understands an abortion to be the knowing destruction of an embryo in existence and developing in the fallopian tube or uterus.

<sup>2</sup> Preven & Plan B, two forms of oral emergency contraceptives, “act by delaying or inhibiting ovulation,” by “inhibiting fertilization,” or by “inhibiting implantation” (FDA Notice, 62 Federal Register 861 (Feb. 25, 1997)); Emergency contraception works “by stopping ovulation, fertilization or implantation” (Planned Parenthood Federation of America, “Emergency Contraception,” available online at <http://www.plannedparenthood.org/pp2/portal/files/portal/medicalinfo/ec/pub-emergency-contraception.xml>); Also, emergency contraception works “by either preventing an egg from being released from the ovary or changing the lining of the uterus so that a fertilized egg could not implant in the uterus” (Planned Parenthood League of Massachusetts, “Get the Facts: Birth Control-Emergency Contraception,” available on PPLM’s website until at least October, 2004, as archived at [http://web.archive.org/web/20040604090647/www.pplm.org/Facts/hsc\\_fac/ec.html](http://web.archive.org/web/20040604090647/www.pplm.org/Facts/hsc_fac/ec.html)); “To make an informed choice, women must know that ECPs—like all regular hormonal contraceptives such as the birth control pill, the implant Norplant, and the injectable Depo-Provera, and even breastfeeding—may prevent pregnancy by delaying or inhibiting ovulation, inhibiting fertilization, or inhibiting implantation of a fertilized egg in the endometrium” (James Trussell, “Mechanism of Action of ECPs,” available online at <http://ec.princeton.edu/questions/MOA.pdf> (linked to Not-2-Late.com, “The Emergency Contraception Website,” operated by the Office of Population Research and the Association of Reproductive Health Professionals; Trussell, a PhD, is the Director of the Office of Population Research)).