

California Wants to Allow Nurses, Midwives to Perform Abortions

A proposal to allow nurses and midwives to perform some **abortions** is advancing in California's Democratic legislature, a move supporters hope will influence the national debate on abortion even as other states are tightening the rules.

If the measure is enacted, the nation's most populous state would allow nurse-practitioners, nurse-midwives and physician assistants to perform a procedure known as aspiration, which uses suction to dislodge an embryo from the uterine wall during the first few weeks of pregnancy.

Four other states—Oregon, Montana, Vermont and New Hampshire—allow non-physicians to perform these early abortions, but California would be the first to codify the practice in law.

The move comes as a handful of states, primarily in the country's south and midsection, have passed or enacted laws restricting abortion in recent weeks. Some of the measures appeared designed to stand as challenges to **Roe v. Wade**, the 1973 U.S. Supreme Court decision that made abortion legal.

"What happens in California has a pretty significant impact across the country," said Democratic state Assemblywoman Toni Atkins of San Diego, author of the **abortion bill**. "We have that on business issues, on other issues and we think it's true on reproductive rights as well."

More broadly, the abortion bill is just one of dozens of left-leaning proposals gushing forth from newly emboldened California Democrats, who in 2012 won supermajority control of both houses of the state legislature.

Bills on gun control, immigration, **gay rights**, taxation and education are all in the queue.

Democratic State Senator Ted Lieu of Torrance, who last year pushed through a bill to bar a controversial therapy aimed at reversing homosexuality from being used on children, said California Democrats were not deliberately trying to sway other states with their actions—but were well aware of their impact.

“It does turn out that much of what we do is a counterweight to what’s happening in other states,” said Lieu, whose gay conversion therapy ban is on hold pending a court challenge. “California is the ninth largest economy in the world, and when we pass a law, it’s significant.”

Republican Frustration

The state of affairs is frustrating for California Republican caucus leader Brian Jones, who has taken to posting a weekly video called “Are you kidding me?” on his website.

“They’re purposely moving California left,” said Jones, who was one of just four Republicans—all of whom voted no—on the assembly’s Business, Professions and Consumer Protection Committee when the abortion bill was passed this week on a party-line vote. It goes next to the assembly Health committee.

“States are passing laws that are restricting the term of the pregnancy when you can have an abortion,” Jones said. “They specifically said that in California they are trying to move in the other direction.”

Last month, North Dakota enacted one of the nation’s most restrictive **abortion rules**, banning the procedure once a fetal heartbeat can be detected—as early as about six weeks.

In Kansas, Governor Sam Brownback is expected to sign a measure declaring that life begins at fertilization, and a new

Alabama law will soon require doctors who provide abortions to have hospital admitting privileges in the state.

Still, recent polls by the Gallup organization and the Pew Research Center show that most Americans oppose overturning *Roe v. Wade*. A Pew poll published in January of 1,502 adults found that 63 percent believed **Roe v. Wade** should not be overturned, compared to 29 percent who thought it should be.

Anti-abortion groups are watching the California bill carefully. Liz Froelich, spokeswoman for California Right to Life Advocates, said she was concerned about safety and the training of practitioners.

Encoding freer access to abortion in the laws of a large state like California could eventually influence court cases over more restrictive laws in other states, said Margaret Crosby, an American Civil Liberties Union attorney who worked with backers of the bill in the state assembly.

A measure aimed at expanding access to **abortion** has been introduced in the New York state legislature, but it is not yet clear whether it will win enough support to pass. So for progressives, that leaves California as their biggest beacon.

The Democratic speaker of the California assembly, John Perez of Los Angeles, says it's less that his colleagues are sending a message to other states, and more that they are responding to voters—many of them young and culturally diverse—who support their agenda.

“These are mainstream issues here—not just the provenance of the progressive community,” said Perez, who supports expanding abortion rights but declined to give his position on Atkins’ bill. “California’s electorate today is what most of America will look like in a generation.”

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