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House Health Committee
March 19, 2026
House Bill 1401 – *Public Health – Abortion – Informed Consent*
POSITION: OPPOSE

On behalf of MedChi, The Maryland State Medical Society, and the Maryland Section of the American College of Obstetricians and Gynecologists (MD ACOG), we submit this letter of **opposition** for House Bill 1401.

Physicians strongly support the principle of informed consent and routinely provide individualized counseling grounded in research, clinical judgment, and patient specific risk factors. House Bill 1401 would replace this medical counseling with prescriptive statutory language. This approach risks undermining the physician-patient relationship and may compel clinicians to present information that is inconsistent with established scientific consensus.

This legislation would require physicians and other qualified providers to deliver specific mandated statements and obtain written consent before providing abortion care. The bill requires providers to counsel patients regarding a list of potential risks, including depression, infertility, future pregnancy complications, and breast cancer, regardless of whether those risks are supported by current medical evidence or are clinically relevant to the individual patient.

The bill would also increase legal and administrative burdens on physicians by imposing documentation and counseling requirements that may conflict with modern accepted standards of practice. These mandates increase professional liability exposure and create barriers to timely care.

Maryland law already requires informed consent for medical procedures. Additional statutory mandates are unnecessary and may contribute to delays in medically indicated care, confusion for patients, and reduced access to comprehensive reproductive health services. For these reasons, MedChi and MD ACOG request an unfavorable report on House Bill 1401.

For more information:

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