



The coalition working to pass the Reproductive Health Equity Act (HB 3391) included organizations working with communities of color, immigrants and refugees, LGBTQ organizations, reproductive health and rights groups, and more.

# Implementing RHEA

## What is HB 3391, the Oregon Reproductive Health Equity Act?

The passage of HB 3391, also known as the Reproductive Health Equity Act (RHEA), ensures that Oregonians, regardless of income, citizenship status, gender identity or type of insurance, have access to the full range of preventive reproductive health services, including family planning, abortion and post-partum care.

The Reproductive Health Equity Act was supported by a diverse coalition of organizations; Forward Together and Asian Pacific American Network of Oregon (APANO) served as members of the coalition steering committee.

## What has happened so far with RHEA and what is next?

The part of RHEA that addresses discrimination went into effect in August 2017, and coverage for abortion services for undocumented community members began in January 2018. By April 2018, all other reproductive health services for undocumented individuals

**Reproductive justice** is achieved when all people have the social, economic and political power and resources to make healthy decisions about our bodies, gender and sexuality for ourselves and our families.

will be piloted. Changes to cost sharing requirements for private insurance plans will take effect in January 2019.<sup>1</sup> Over the next year, RHEA will be fully implemented.

## What are sex-selective abortion bans and how do they impact RHEA?

**Sex-selective abortion bans are a ruse.** Sex-selective abortion bans require healthcare providers to refuse to provide abortion if they think the patient is making a decision based on the sex of the fetus. **These bans actually target and attack abortion care providers and are built on racial stereotypes about Asian American communities.** Sex-selective abortion bans assume

1. [What is the Reproductive Health Equity Act \(HB 3391\)?](#) Public Health Division of the Oregon Health Authority. Accessed 1/24/2018.

2. [Replacing Myths with Facts: Sex Selective Abortion Laws in the United States.](#) NAPAWF, International Human Rights Clinic, University of Chicago Law School, and Advancing New Standards in Reproductive Health (ANSIRH). June 2014.

that specific Asian American communities have sex-selective abortions because they prefer boys. In reality, studies show that in the United States immigrant Indian, Chinese and Korean American women actually have more girls overall than White women do.<sup>2</sup>

**Each year since 2013, legislators opposed to abortion have introduced sex-selective abortion legislation in our state.** Already in 2018, legislators have introduced HB 4101, while in 2017, Oregon saw the introduction of HB 2588 and SB 541, all bills that would have prohibited a person from performing a “late-term” sex-selective abortion. As organizations that work with Asian-Pacific Islander (API) families, both APANO and Forward Together opposed the 2017 legislation and all previous versions.

In addition to the introduction of sex-selective abortion legislation in Oregon, **APANO and Forward Together were very concerned to see sex-selective abortion rhetoric creep its way into the fight for RHEA,** both through statements made by Sen. Knopp and by Sen. Thatcher during the Senate floor debate, as well as in media coverage of RHEA that quoted anti-abortion lawmakers’ talking points.

During the Senate floor debate on RHEA, anti-abortion lawmakers used phrases like “protecting baby girls from being killed” as a way to cue stereotypes about Asian communities. In addition, media coverage of RHEA evoked the myth of sex-selective abortion through statements like: “If a woman wants to kill her unborn daughter because she wanted a son, her insurer has no choice but to cover that.”<sup>3</sup>

**Neither the statements made in the media nor by those opposed to RHEA about so-called sex-selective abortions are true.** Rather, they are part of a larger narrative built on harmful stereotypes that criminalize Asian and Asian American communities seeking care. Opponents of abortion use sex-selective abortion rhetoric as a tool to chip away at abortion access.

3. [Oregon’s Radical, Grisly Law Abortion Law](#). *National Review*. July 13, 2017.

## Shared Principles for Reproductive Health Access in Rulemaking

Given the way that the myth of sex-selective abortion showed up in the fight for RHEA, APANO and Forward Together want to ensure that implementation of RHEA does not rely on any false assumptions and stereotypes that create conditions for racial profiling. The rulemaking process is a critical step in ensuring that access to these services is guided by fact.

The following principles can help ensure that stereotypes and false assumptions are not part of implementation of RHEA.

- ✓ Racial profiling has no place in the provision of healthcare.
- ✓ Abortion is a part of reproductive healthcare.
- ✓ The reasons why a patient is seeking an abortion are private. All rules and process should reinforce patient confidentiality.
- ✓ Throughout a pregnancy, pregnant individuals must have accurate information to be able to make decisions about what is best for them and their family, with the advice of a healthcare professional who they trust.
- ✓ It’s important that patients can talk to their doctors about their healthcare options without politicians restricting or intruding with mandatory information or required documentation about those conversations.
- ✓ No guidelines should implicitly or explicitly encourage or mandate healthcare providers to inquire about the reason someone is seeking an abortion.

**FORWARD TOGETHER** works in Oregon and nationally to ensure all families have the rights, recognition and resources they need to thrive. We change culture and policy as a multi-racial organization working at the intersection of race, gender and sexuality. For more information, contact Michele Ruffin at [michele@forwardtogether.org](mailto:michele@forwardtogether.org). @FwdTogether, FB/FwdTogether

**THE ASIAN PACIFIC AMERICAN NETWORK OF OREGON (APANO)** is a statewide, grassroots organization, uniting Asians and Pacific Islanders to achieve social justice. We use our collective strengths to advance equity through empowering, organizing and advocating with our communities. For more information, contact Kara Carosino, [kara@apano.org](mailto:kara@apano.org). @APANONews, FB/APANONews