

# ABORTION BARRIERS: ACCESS FOR MINORS

The Abortion Access Act (S.1114/H.1599) aims to expand abortion access in Massachusetts by removing several burdensome, medically unnecessary barriers to care. Passing the Abortion Access Act would **eliminate parental involvement laws for abortion in Massachusetts**, finally setting an equitable standard for minors' ability to access all pregnancy related care.

## MASSACHUSETTS MINOR ACCESS GRADE: D

Massachusetts ranks high on most national abortion access maps, but lags behind "very protective" states because of our remaining parental involvement law that prohibits pregnant people under age 16 from getting an abortion without the consent of a parent or judge.



17 states scored higher than Massachusetts for minor access, including our neighbors Connecticut, New York, and Vermont. 10 states have no parental involvement laws, and Illinois - which has become an essential abortion access point in the Midwest - recently eliminated theirs.

The nation's leading medical organizations (AMA, AAP, ACOG) all agree: these laws increase the risk of harm to teens by delaying access to appropriate medical care.

## PARENTAL CONSENT AND JUDICIAL BYPASS LAWS CREATE UNNECESSARY HARM AND DELAYS TO CARE.

In Massachusetts, minors can consent to:

- **contraception;**
- **treatment for sexually transmitted infections and substance abuse;**
- **mental health services;**
- **prenatal care,**
- **childbirth and maternity services;**
- **and medical care for their child.**

In Massachusetts, if a minor cannot obtain parental consent because their parents are unwilling or unavailable, they must get consent from a judge using a system known as **judicial bypass**.

Judicial bypass requires a young person to:

- Find a lawyer to represent them in court
- Take 2 days off from school
- Travel to and from court
- Obtain a court order, deeming them mature enough to NOT become a parent

The judicial bypass process puts young people's health, safety, and privacy at risk and disproportionately impacts young people of color. It forces young people to share personal details with a judge and, in some cases, cross state lines without telling anyone where they are going.

Young people weighing their pregnancy decision, just like any other pregnant person, receive **pregnancy options counseling** when deciding whether to continue a pregnancy and raise a child, choose adoption, or have an abortion.

Under this legislation, if a minor seeks an abortion, a medical provider will respond as they would if the minor were seeking **any other pregnancy-related care**. Abortion providers, like all other medical providers, comply with all federal, state and local laws and are mandated reporters.

Although nearly all judicial bypass petitions are approved (**only 2 of over 23,000 cases heard since 1981 were denied**), the process creates significant delays in timely care.

The average delay with judicial bypass:

**15 days**

**1 in 5 minors who go through judicial bypass experience delays of:**

**21 days or more**

These delays can mean that **1 in 3 young people lose the option of medication abortion** and must instead seek more expensive care.

**Most young people do seek out advice on their own from parents or trusted adults. But for those who can't, we know they are just as capable of understanding the results of abortion care as they are the results of other medical procedures, and according to experts, most are mature enough to decide whether to carry a pregnancy or seek an abortion.**