



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY **Rebecca Gebhart**, Acting Director
PUBLIC HEALTH DEPARTMENT **Muntu Davis, MD, MPH**, Director and Health Officer

Office of the Health Officer
1000 Broadway
Oakland, CA 94607

Muntu Davis, MD, MPH
Phone 510-267-8010
Fax: (510) 267-3223

June 26, 2016

Oakland City Council
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

Re: Support for creating greater penalties for misleading and false advertising by limited services pregnancy centers or crisis pregnancy centers

Dear Oakland City Council Members:

As the Alameda County Health Officer and Division Director of Family Health Services, we urge you to take action to curb the deceptive advertising practices of limited services pregnancy centers (LSPCs) or crisis pregnancy centers (CPCs). Access to comprehensive reproductive health care and counseling is a public health priority with far-reaching benefits.

Early prenatal care - starting in the first trimester of pregnancy - reduces the risk of poor birth outcomes, and improves the health and wellbeing of the mother. If desired, abortion care becomes more difficult to access and afford the longer it takes a woman to receive care.

To improve access, we need to promote family planning services to prevent unwanted pregnancies and assist women in identifying when they do become pregnant and promote comprehensive prenatal care. We do not have the resources to compete with the misleading advertising of crisis pregnancy centers.

We see that our residents would benefit from knowing about comprehensive reproductive health programs. However, we do not have the funds or any group of devoted volunteers to launch and maintain campaigns to let residents know that as soon as they are pregnant, if they qualify for Medi-Cal, they can get comprehensive prenatal care. The only advertising in our county for prenatal services are the crisis pregnancy centers, which have ads in English and Spanish in mostly low-income neighborhoods. Our residents do not get a full picture of services available to them, because the comprehensive prenatal care sites do not advertise; they deliver the comprehensive care and patients have to find out about them on their own. In general, women on Medi-Cal are less likely to know about access to comprehensive prenatal care programs and other

reproductive health programs that help pay for family planning and, if desired, pregnancy termination. In public health, access is one of our priorities, as we regularly hear about residents who need these services but don't know about them. Unfortunately, one avenue of information is via our Fetal Infant Mortality Review, where case reviews of fetal demise highlight pregnant women's lack of access to timely prenatal care.

We have concerns about timely access to prenatal care in our county and the impacts on women's health when women visit crisis pregnancy centers that are not offering the standard of care pregnant women need and deserve. Last year a local crisis pregnancy center volunteer left us a voicemail requesting assistance for a pregnant patient in crisis. This patient needed health insurance and she was undocumented. This volunteer was only available on Wednesdays, so we called her the following Wednesday but she was not there. It was two weeks after her original voicemail that we were able to reach her, to advise her to send the patient to one of our 23 comprehensive prenatal care clinics, which can provide same-day Presumptive Eligibility for pregnant patients, including undocumented women. We expressed our concern about the 2-week lag time in getting the patient access to the health insurance she needed, and we are sorry to say that the volunteer agreed that it was too bad, but that was how they provided services. We don't know how this patient fared with her crisis-level need for health insurance, but are concerned about the delay in meeting her needs.

This is not the only example of delays in accessing care through crisis pregnancy centers that we have encountered. An experienced, dedicated Comprehensive Perinatal Services Program clinic coordinator in Alameda County has offered these comments about her observations of having prenatal patients come to her clinic site for prenatal care after receiving services at a local crisis pregnancy center:

"Patients typically get transferred out of the crisis pregnancy center at 20-24 weeks, because the center knows that the patient can no longer terminate the pregnancy. The patients have come to our clinic without prenatal records, and without lab reports. The volunteers at the center don't take the step to send the medical record. Our staff then has to request the record, which can take a week or two.

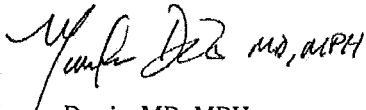
Our medical staff will typically re-order the labs, for the sake of continuity of care and quality prenatal care. The patients get frustrated with having to re-take their labs, because it requires extra blood samples being drawn and they've already done that at the crisis pregnancy center.

Also the patients don't always get their pregnancy verification form, which is their right to have, and that can delay their access to continued prenatal care. Again, the clinic staff has to take the initiative to call the crisis pregnancy center to advocate on behalf of the patient to get her pregnancy verification faxed to the clinic. This is the first step in the patient's application for health insurance. These are a few of the ways that the crisis pregnancy centers are a disservice to the prenatal patients who go there."

Pregnancy-related services are time sensitive, and it's imperative that women get immediate access to the care they need and desire. Crisis pregnancy centers that imply that they offer abortion services but don't, or that advertise themselves as more qualified to provide medical care than they are, pose a threat to women's health.

We support the city of Oakland's efforts to create greater penalties for misleading and false advertising by crisis pregnancy centers.

Sincerely,

Handwritten signature of Muntu Davis, MD, MPH.

Muntu Davis, MD, MPH
County Health Officer

Handwritten signature of Kiko Malin, MPH, MSW.

Kiko Malin, MPH, MSW
Director, Family Health Services Division

Oakland City Council
250 Frank H Ogawa Plaza
Oakland, CA 94612:

ACCESS Women's Health Justice is writing in support of an ordinance that would penalize Crisis Pregnancy Centers (CPCs) for false advertising.

ACCESS removes barriers to sexual and reproductive healthcare and builds the power of Californians to demand health, justice, and dignity.

We envision a future where people decide for themselves whether, when and how to have children. A future where people have access to the resources and options they need to realize their sexual and reproductive health decisions. We envision a future where people are treated with dignity and respect in those decisions. A future where people understand the context decision-making around pregnancy, and where those decisions are free from stigma. We envision a future where our voices are clear and strong; where each pregnant person trusts themselves, knows their own power and uses it to demand that everyone have the social, political, and economic power and resources to make healthy decisions for themselves and their families.

The negative effects that Crisis Pregnancy Centers have on the communities we live and work in as women of color directly contradict the values and vision of ACCESS, and in a larger context, the values and work of Reproductive Justice.

The deliberate self-misrepresentation of CPCs as clinics often leave visitors confused and misinformed.

Through ACCESS' direct service work have been testimonies speaking truth to the intent of CPCs. Callers have either reported visiting a CPC and being misinformed or swayed, or plans to visit a CPC without knowing; assuming the center was a clinic.

While these are fortunate cases where callers could exercise self-determination, there are cases that are unheard of. It is simply not possible to reach every person in the state via the ACCESS healthline, therefore city ordinances provide a crucial starting point in penalizing, regulation, and rendering CPCs obsolete.

ACCESS is in support of any such ordinance in the city of Oakland.

Sincerely,



Melanie Garza, Public Policy and Training Coordinator

P.O. Box 3609
Oakland, CA 94609
510.923.0739 tel
510.923.0014 fax



THE AMERICAN CONGRESS
OF OBSTETRICIANS
AND GYNECOLOGISTS

The American Congress of Obstetricians and Gynecologists

District IX California

June 24, 2016

Oakland City Council
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

Dear Oakland City Council Members:

The American Congress of Obstetricians and Gynecologists- District IX, representing more than 5,500 physicians dedicated to the health care of California's women, strongly supports efforts by the City of Oakland to hold crisis pregnancy centers (CPCs) accountable for false advertising practices. Decisions around pregnancy-related care are time sensitive, and delays are dangerous for women's health. We must act to make sure no woman ends up wasting time at a facility that doesn't offer the care she needs.

Crisis pregnancy centers have a documented history of targeting women with deceptive advertising to dissuade them from accessing abortion care. They target what they call "abortion-minded" women with promises of free pregnancy tests, ultrasounds and "options counseling" or "abortion consultation." When women arrive for appointments, they are subjected to a barrage of medical misinformation and manipulative tactics to pressure them to continue their pregnancies. By interfering with women's reproductive health choices, CPCs cause delays that can result in the need for a more expensive or invasive option to terminate their pregnancy, or losing the option to terminate a pregnancy altogether.

To give just two examples of the impact of CPC's and false advertising and false medical information, from obstetricians and gynecologists taking care of these women after their encounters with a CPC:

1. The patients I see that have gone to these centers tell the same story—they went there thinking they would provide all information, didn't tell them about what to do if they wanted an abortion, focused on anything bad about abortion, and simply wasted their time and delayed their ability to seek the care they desired. The women I see are smart enough to understand the deception. There are many others, I assume who are not. The goal of any counseling, as you know, is to present facts that allow the woman to make the decision she wants/needs, not meet the goals of the counselor. The women I see repeatedly say they were smart enough to understand during the counseling that they were not getting all of the information which also made them doubt whatever they were being told. Almost all are simply

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<http://ca.acog.org>

angry they had an extra hurdle to get the information and care they desired. Women seeking medical advice and care should not be duped.

2. Have an Ob patient in 3rd trimester who went to a clinic for medical termination. She was counseled and received medication. Walked out the door where the CPC is next to the clinic and was given high dose progesterone to counter the meliorism one. No informed consent or follow up. The pregnancy continued (high chance of continuation if the 2nd pill is not taken, regardless of the high dose progesterone regime). She is doing ok but I don't think she was well educated as to the potential risks of this salvage therapy.

While ACOG recognizes and respects that individuals may be personally opposed to abortion, health care providers or those posing as health care providers should not seek to impose their personal beliefs upon their patients nor allow personal beliefs to compromise patient health, access to care, or informed consent. Informed consent is an expression of respect for the patient as a person; it particularly respects a patient's moral right to bodily integrity, to self-determination regarding sexuality and reproductive capacities, and to the support of the patient's freedom within caring relationships. Our national policy considers "crisis pregnancy centers" that give medical misinformation to women to be harmful and may divert these women from needed, appropriate medical care.

The state of California recognized the need to crack down on the deceptive practices of crisis pregnancy centers when it passed the Reproductive FACT Act (AB 775), which ACOG actively supported. Crisis pregnancy centers have acted with impunity for far too long. We encourage Oakland to join the growing movement to hold CPCs accountable and proactively protect women's health by passing an ordinance penalizing false advertising by CPCs.

Please contact me at 916-441-2430 should you have any questions on our position.

Sincerely,



Shannon Smith-Crowley
Director, Government Relations

CATHOLICS
FOR
CHOICE

IN GOOD CONSCIENCE

June 1, 2016

The Honorable Annie Campbell Washington
Oakland City Council
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

Dear Councilmember Washington,

I write to offer support for the ordinance you have sponsored to hold crisis pregnancy centers (CPCs) accountable for false advertising practices and ensure that every woman who seeks reproductive healthcare services has access to care she needs.

Catholics for Choice shapes and advances sexual and reproductive ethics that are based on justice, reflect a commitment to women's well-being and respect and affirm the capacity of women and men to make moral decisions about their lives. We serve as a voice for the vast majority of Catholics across the United States—and more than 12 million Catholics in California—who support access to comprehensive reproductive health services.

Catholics support policies like those proposed in this ordinance because they help ensure women are provided with accurate information to make informed decisions about their healthcare, especially in matters of reproductive health. The role of the individual, informed conscience in matters of moral decision-making is at the core of the Catholic tradition. The public policy views of Catholics in the United States reflect this tradition. The requirements put forth in this ordinance will hold CPCs accountable to provide Oakland-area women, both Catholic and non-Catholic, the information they need in order to make informed decisions about their healthcare options, including pregnancy, birth control or abortion. This information allows a woman to decide which facility will best meet her needs, and it will assist her in getting timely and appropriate care.

California women have the right to make their own conscience-based reproductive healthcare decisions without interference from those seeking to shame or judge them. Women should not have to encounter the deceptive practices of CPCs or other facilities that interfere with their reproductive health decisions, rather than ensuring they have access to the healthcare they need. We applaud cities like San Francisco that have already passed similar ordinances to support reproductive freedom for all women. We call upon you to seize the opportunity to demonstrate true leadership, respect for women's consciences and a commitment to social justice for all.

PRESIDENT

Jon O'Brien

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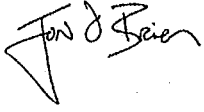
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Our Catholic faith compels us to take this position, and women in California expect nothing less from their elected leaders. Catholics for Choice urges the City of Oakland to pass this ordinance to ensure that CPCs are held accountable and that every resident gets the information she needs in order to access affordable healthcare and make the best decisions for herself and her family.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon O'Brien". The signature is stylized and cursive.

Jon O'Brien
President

cc: Mayor Libby Schaaf
Councilmember Dan Kalb
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PHYSICIANS FOR REPRODUCTIVE HEALTH

Headquarters:

55 West 39th Street
Suite 1001
New York, NY 10018-3889
Tel: 646-366-1890
Fax: 646-366-1897

Additional Locations:

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May 31, 2016

Annie Campbell Washington, Vice Mayor
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

RE: CPC false advertising

Dear Vice-Mayor Washington:

On behalf of Physicians for Reproductive Health (*Physicians*), I am writing to lend our support for an ordinance that will prevent Crisis Pregnancy Centers (CPC) in California from continuing false and misleading advertising tactics. It is paramount to the health of our communities to have access to timely and accurate information about pregnancy-related services.

Physicians is a doctor-led national advocacy organization, with active physician members through-out the Bay Area, that uses evidence-based medicine to promote sound reproductive health policies for all people. Our providers recognize that clinics that masquerade as health centers pose a threat to women's health. By luring in women with promises of services they don't provide, they delay access to care. Decisions around pregnancy are time sensitive, and women need the care they are seeking without interference or delay.

We join other professional medical organizations that support this position. The American Academy of Family Physicians Congress of Delegates representing 100,000 members nationally, recently passed the following resolution: *That the American Academy of Family Physicians urge federal, state, and local governments to support only the programs that provide medically accurate information to women facing unintended pregnancies and to enforce existing consumer protection laws prohibiting deceptive practices.*

The mission of CPCs is to discourage women from choosing abortion through persuasive counseling and by providing what is often incomplete and medically inaccurate information. People who need health care shouldn't be lied to. This is a basic consumer protection measure, and a best practice among medical professionals.

We strongly support the City of Oakland's efforts to protect its community's reproductive health and rights via measures that prevent false and misleading advertising and ensure that pregnant patients receive care and counseling based on evidence-based medicine.

Should you have any further questions or want to speak directly with one of our doctors, please contact Libby Benedict at 415.990.6502 or libby@prh.org

Sincerely,

Pratima Gupta, MD, MPH
Reproductive Health Advocacy Fellow, Physicians for Reproductive Health