



National Asian Pacific American Women's Forum NAPAWF

1050 17th Street, N.W., Ste 250
Washington, DC 20036
T (202) 293-2688; F (202) 293-4507
www.napawf.org

APA Women and Abortion: A Fact Sheet

In Roe v. Wade, the Supreme Court held that the constitutional right of personal privacy includes the decision to have an abortion. In 1977, however, four years after Roe, Congress passed the Hyde Amendment, which prohibits the use of federal funds to pay for abortions except in the case of rape, incest, or when the woman's life is endangered. Thus, for many low-income Asian Pacific American (APA) women, the Hyde Amendment makes it difficult, and often impossible, to exercise their right to make personal decisions about their reproductive health. Further barriers such as language, culture, and restrictions placed on minors also prevent APA women from obtaining abortion services. NAPAWF believes that all women should have equal access to reproductive health care options.

Are APA women supportive of abortion rights?

- Studies indicate that a majority of APA women identify themselves as “pro-choice.” A report by the National Asian Women's Health Organization found that nearly 70% of APA women support a woman's decision to have an abortion. Another 20% stated that they would support a woman's decision to have an abortion in certain cases such as rape or incest.

How do language and cultural differences affect APA women's ability to access abortion services?

- Although Title VI of the Civil Rights Act of 1964 requires all recipients of federal financial assistance, including health care providers, to ensure that limited English proficient (LEP) individuals have meaningful access to their programs and services, the reality is that APA women continue to confront language barriers when they access reproductive health care services, including abortion.
- Community clinics understand the need to provide interpreters and bilingual materials to LEP patients; yet many of these clinics have limited resources to handle only early term/first trimester abortions. As a result, for low-income APA women seeking a late-term abortion, finding a bilingual provider may be difficult if not impossible.
- The difficulty in finding a health provider who recognizes and incorporates traditional non-Western practices with Western medical procedures also prevents many APA women from seeking and receiving appropriate reproductive health care services, including abortion services.

How do financial restrictions impede APA women's access to abortion?

- Approximately 36% of APA women under age 65 have no health insurance. Thus, over one-third of APA women are forced to seek their reproductive health care services from Title X clinics, community clinics, and nonprofit and public hospitals.
- In recent years, the number of nonprofit and public hospitals that have been merged into or are bought by religious hospitals has sharply risen. These religious hospitals impose health restrictions when determining which health care services a patient may receive. For instance, religious health restrictions are used to prohibit abortion, birth control, emergency contraception, and contraceptive counseling. Low-income APA women who do not have health insurance and who rely on these public hospitals no longer have access to critically important family planning services and abortion.
- Lack of transportation, inflexible employment schedules, lack of a driver's license, and limited child care options, combined with lack of health insurance, also pose barriers to APA women's ability to access abortion-related reproductive health care services.



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What are the barriers that exist for APA minors seeking abortions?

- Studies reveal that reproductive and sexual health issues are not discussed in APA families. In particular, one study found that more than half of the young APA women surveyed felt uncomfortable talking about reproductive health with their mothers, and more than one third never discussed pregnancy, STDs, birth control, and sexuality in their households.
- Many state laws require parental involvement or consent when a minor is contemplating whether to have an abortion. These statutory requirements will have a negative impact on young APA women who do not always involve their parents in decisions related to their reproductive health.
- The judicial bypass requirement that many states have may also be unrealistic for APA minors. The requirement allows a pregnant minor to petition the court and prove that she is mature enough to make the abortion decision on her own. If the court finds that the minor is sufficiently mature, the court may bypass the parental involvement requirement. Not only is the process complicated and confusing, but it can also delay a pregnant minor from seeking timely services and health care, thereby increasing the risk and cost of late-term abortions.

RECOMMENDATIONS:

- ***Repeal the Hyde Amendment.*** Support policies that provide access to critically important reproductive health services, including abortion, for all women.
- ***Oppose the Child Custody Protection Act*** Ensure that minors have access to abortion services and the option to seek guidance and support from family members and relatives about their reproductive health care choices. The Child Custody Protection Act would make it a crime for anyone to transport a minor across state lines for an abortion when it would violate the home state's parental involvement requirements.
- ***Increase funding for interpreter and culturally appropriate services.*** Educate health care providers so that they can offer the best care to their LEP patients.
- ***Repeal the Weldon Amendment.*** Remove barriers that prevent women from accessing reproductive health care services from their health care providers, including health restrictions in religious hospitals. The Weldon Amendment is a provision added to the 2005 appropriations bill that would allow any health care entity to refuse to perform, pay for, or refer for abortions regardless of federal, state, or local laws to the contrary. The provision could prohibit state and local governments from enforcing a wide range of their own laws that ensure access to abortion services and referrals.

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Resources:

National Family Planning and Reproductive Health Association, Federal "Refusal Clause" Signed Into Law By President Bush As Part of Omnibus Spending Bill (Dec. 2004).

Mergerwatch, Religious Health Restrictions Threaten Women's Health and Endanger Women's Lives (Sept. 2004).

National Health Law Program, Ensuring Linguistic Access in Health Care Settings: Legal Rights and Responsibilities (Aug. 2003).

Lora Jo Foo, Asian American Women: Issues, Concerns, and Responsive Human and Civil Rights Advocacy (2002).

National Asian Women's Health Organization, Expanding Options: A Reproductive and Sexual Health Survey of Asian American Women (Jan. 1997).