


To: Science and Medicine Editors/Reporters

From: Douglas Johnson, NRLC Legislative Director
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Re: medical pseudo-science that endangers women and their babies

Date: Tuesday, January 2, 1996



As part of a campaign against a bill pending in Congress, certain advocacy groups have disseminated a medical claim that has "absolutely no basis in scientific fact," according to the physicians'-specialty group with expertise on the matter. Moreover, says the physicians' group, this pseudo-scientific claim has itself become so widely disseminated through the media that it now poses a danger to the health of pregnant women and their babies.

It's a story that so far has gone virtually uncovered by the mainstream press-- although it is the subject of an article in the January 1 edition of *American Medical News*, the official newspaper of the American Medical Association (enclosed).

The bogus claim is this: anesthesia, given to a pregnant woman, kills the fetus/baby, prior to the performance of a late-term abortion.

This claim was invented last summer by certain opponents of a bill pending in Congress to ban the partial-birth abortion procedure. [In this procedure, a living fetus/baby (4½ to 9 months) is pulled feet-first from the womb, except for the head; the back of the skull is punctured, and the brain suctioned out.¹]

¹Detailed documentation on the partial-birth abortion method and the reasons why it is performed-- much of it drawn from the writings of practitioners-- is available on request from NRLC. The enclosed drawings have been validated as medically accurate by experts on both sides of the abortion debate.

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Specifically, certain opponents of the bill have argued as follows: (a) anesthesia given to the mother kills the fetus/baby before the rest of the abortion procedure, therefore (b) it is misleading to call the procedure a "partial birth," and (c) any concerns that the fetus/baby experiences great pain during the partial-birth abortion procedure are misplaced.

However, the American Society of Anesthesiologists (ASA) recently became so distressed by these claims that the ASA requested the opportunity to testify before the Senate Judiciary Committee. In its testimony, the ASA said that (a) the claim that anesthesia kills a fetus/baby has "absolutely no basis in scientific fact," and (b) the claim is "misleading and potentially dangerous" to pregnant women, since it may deter them from consenting to be anesthetized for medically necessary procedures for fear of harming their babies.

Dr. Norig Ellison, president of the American Society of Anesthesiologists, said that **regional (local)** anesthesia has no effect on the fetus.² Some **general** anesthetics reach the fetus in levels less than in the mother, but they do the baby no harm-- and indeed, they "will provide no-to-little analgesia [protection from pain] to the fetus," Dr. Ellison said.

The January 1 *American Medical News* article quotes Dr. David Birnbach, vice-president of the Society for Obstetric Anesthesia and Perinatology, as referring to the fetal-death claim as "crazy." Even at the extraordinarily high doses of anesthesia that (it is now claimed) the late abortionist Dr. James McMahon utilized, "anesthesia does not kill an infant if you don't kill the mother," Dr. Birnbach said.

Anesthesiologists stress that the continued dissemination of this misinformation is jeopardizing the health and lives of pregnant women and their babies in contexts entirely unrelated to abortion. Dr. Ellison testified:

I am deeply concerned. . . that widespread publicity [given to this claim]...may cause pregnant women to delay necessary and perhaps life-saving medical procedures, totally unrelated to the birthing process, due to misinformation regarding the effect of anesthetics on the fetus. [Testimony before Senate Judiciary Committee, Nov. 17, 1995]

The *American Medical News* article makes the same point:

² The best known practitioner of partial-birth abortions, Dr. Martin Haskell of Dayton, Ohio, performs these procedures "under *local* anesthesia," according to his 1992 paper "Dilation and Extraction for Late Second Trimester Abortion," in which he explains step-by-step how to perform the entire procedure. Dr. Haskell has also acknowledged, in a tape-recorded 1993 interview with *American Medical News*, that most of the fetuses are alive at the time that he removes them from the womb-- and that "80%" of these procedures, in his practice, are "purely elective."

Medical experts contend the claim is scientifically unsound and irresponsible, unnecessarily worrying pregnant women who need anesthesia.... In fact, cases of maternal concern have already surfaced. Dr. Birnbach said he has already had patients raise questions. And Rep. Tom Coburn, MD, an Oklahoma Republican who still delivers babies when he goes home on weekends, said he just had a patient refuse epidural anesthesia during childbirth after hearing those claims.

Despite the authoritative statements by the ASA and other experts, some prominent opponents of the bill continue to propagate the myth that anesthesia kills unborn babies. Indeed, the myth has taken on a life of its own, and it continues to spread in ever-widening circles. (See Addendum for some examples.)

The issue raised by ASA's warning really has nothing to do with the merits or demerits of the abortion bill itself (regarding which the ASA has no position). Regardless of the merits of the bill, the wide dissemination of gross misinformation regarding the effects of anesthesia on a human fetus/unborn baby is a disservice to the public, and needs to be corrected.

Original source documents for statements quoted in this memo, and related documentation, are available on request from NRLC, (202) 626-8820, fax (202) 347-3668, e-mail Legfederal@aol.com.

[The *American Medical News* article "Anesthesiologists Question Claims in Abortion Debate" (January 1, 1995) is attached. Other documentation is available on request, including:

Written testimony of Dr. Norig Ellison, president, American Society of Anesthesiologists, before the Senate Judiciary Committee, Nov. 17, 1995

Transcript of exchange among Dr. Ellison, Dr. Mary Campbell of Planned Parenthood, and Sen. Spence Abraham (R-Mi.), Senate Judiciary Committee, Nov. 17, 1995

Letter from Dr. Norig Ellison to Senate Judiciary Committee, Nov. 22, 1995]

ADDENDUM: EXAMPLES OF VECTORS FOR THE "ANESTHESIA MYTH"

Far from dying out, the "anesthesia myth" continues to be disseminated to ever-wider audiences by advocates, editorial boards, reporters, and others. A few examples follow; many others could be cited.

- On December 15, the *New York Daily News* (circulation 725,000) ran an editorial defending partial-birth abortions, which said:

The fetus is partially removed from the womb, its head collapsed and brain suctioned out so it will fit through the birth canal. The anesthesia given to the woman kills the fetus before the full procedure takes place. But you won't hear that from the anti-abortion extreme. It would have everybody believe the fetus is dragged alive from the womb of a woman just weeks away from birth. Not true.

- One of the leading proponents (to this day) of the "anesthesia myth" is Kate Michelman, president of the National Abortion and Reproductive Rights Action League (NARAL). For example, in an interview on "Newsmakers," KMOX-AM in St. Louis on Nov. 2, Ms. Michelman said:

The other side grossly distorted the procedure. There is no such thing as a 'partial-birth'. That's, that's a term made up by people like these anti-choice folks that you had on the radio. The fetus-- I mean, it is a termination of the fetal life, there's no question about that. **And the fetus, is, before the procedure begins, the anesthesia that they give the woman already causes the demise of the fetus. That is, it is not true that they're born partially. That is a gross distortion, and it's really a disservice to the public to say this.**

Here are a few other examples:

- Syndicated columnist Ellen Goodman wrote in mid-November that, if one relied on statements by supporters of the bill, "You wouldn't even know that anesthesia ends the life of such a fetus before it comes down the birth canal."
- *USA Today* said in an editorial opposing the bill (Nov. 3), "The fetus dies from an overdose of anesthesia given to its mother."
- *St. Louis Post-Dispatch* news story, Nov. 3: "The fetus usually dies from the anesthesia administered to the mother before the procedure begins."

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- Senator Carol Moseley-Braun (D-Il.) said during Senate floor debate on the bill (Nov 8), "The fetus dies during the first dose of anesthesia."
- Prior to the November 1 House vote on the bill, Planned Parenthood circulated to lawmakers a "fact sheet" titled, "H.R. 1833, Medical Questions and Answers," which includes this statement:

"Q: When does the fetus die?

"A: The fetus dies of an overdose of anesthesia given to the mother intravenously. A dose is calculated for the mother's weight which is 50 to 100 times the weight of the fetus. The mother gets the anesthesia for each insertion of the dilators, twice a day. This induces brain death in a fetus in a matter of minutes. Fetal demise therefore occurs at the beginning of the procedure while the fetus is still in the womb."