

# INFORMED CONSENT PROJECT

Assessing the accuracy of state-mandated informed consent to abortion materials

## TEXAS 2016 DRAFT of Women's Right to Know Brochure

### RESULTS OVERVIEW:

30% of all statements are medically inaccurate.

45% of all statements in the first trimester are medically inaccurate.

Statements were evaluated in two ways. Statements that were in our 2013 Informed Consent Master Database were rated by a **panel of experts in human anatomy** who determined certain statements to be either *scientifically incorrect* or *misleading* for that period of biological development. These, as well as new statements added to the 2016 revised brochure, were also assessed against leading textbooks in human embryology and ultrasonography.<sup>1</sup> For more information on our research methods, please consult <http://informedconsentproject.com> Email Contact: [theinformedconsentproject@gmail.com](mailto:theinformedconsentproject@gmail.com)

We found certain patterns of inaccuracy in our evaluation:

- 1) **Inaccurate statements were concentrated in the first trimester**, when most women have abortions. (1<sup>st</sup> trimester inaccurate = 45%; 2<sup>nd</sup> trimester = 26%; 3<sup>rd</sup> trimester = 18%)
- 2) **Statements often accelerated embryological or fetal development** by representing systems as developing at earlier stages of life. Examples: *Week 4: Bone tissue is growing* or *Week 6: Brain activity can be recorded*. Inaccurate statements stated that certain body systems were completely formed when they were in 'primordial' stages of development. Examples: *Week 4--The brain and spinal cord begin to form*; *Week 4--The heart begins to form*.
- 3) **In the transition from the 2013 materials to the 2016 materials, some statements that were medically accurate were deleted from the new version, while some inaccurate statements were added.** Examples of accurate statements that were replaced include: *12 Weeks: It is unknown if the unborn child is able to experience sensations such as pain*; This was replaced with a newly added inaccurate statement: *Week 12: The fibers that carry pain to the brain are developed*.

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### MEDICALLY INACCURATE STATEMENTS in 2016 DRAFT BROCHURE:

- Week 4 The bone tissue is growing
- Week 4 Your baby's brain and the spinal cord begin to form
- Week 4 The stomach and intestines are forming
- Week 4 The heart begins to form
- Week 4 ...and length is less than 1/8 inch
- Week 6 Brain activity can be recorded

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- Week 6 ...the brain and spinal cord are completing development
- Week 6 The eyes are present
- Week 8 All essential organs have begun to form
- Week 8 Facial features – the eyes, nose, lips, and tongue – start to develop
- Week 8 The brain...begins to control organs
- Week 8 Sex organs are beginning to form
- Week 10 Your baby has his or her first spontaneous movements (movements that happen on their own)
- Week 10 Elbows are formed
- Week 10 ...fingernails appear
- Week 10 The external ears begin to take final shape
- Week 12 All the body parts and organs are formed
- Week 12 ...the neck lengthens.
- Week 12 Fingernails appear.
- Week 12 The fibers that carry pain to the brain are developed.
- Week 14 Your baby is about 3 1/2 inches long from head to bottom
- Week 14 Your baby's mouth makes sucking motions
- Week 14 Hiccup movements are present
- Week 16 Hand-to-face movements are common.
- Week 18 The baby's arms and legs begin to punch and kick
- Week 18 Your baby is about 5 1/2 inches long from head to bottom
- Week 18 The skin is wrinkled
- Week 20 Your baby is more active...including turning side to side and front to back
- Week 20 The structures of the ears are well-developed.
- Week 20 Ovaries containing eggs have formed in females
- Week 20 ...testes begin to descend in males
- Week 20 Meconium ...begins to form....This will be the baby's first bowel movement
- Week 20 In consideration of the potential for fetal pain, Texas limits abortion to under 20 weeks.
- Week 22 ...and eyes are fully functional
- Week 24 The inner ear has reached adult size
- Week 26 Your baby's lungs are now fully formed
- Week 26 The lines on the skin of the fingers (fingerprints), toes, palms of the hands and soles of the feet are now formed.
- Week 28 The lungs... are fully formed....
- Week 28 ...and digestive system are fully formed....
- Week 28 Your baby's brain is fully formed
- Week 32 Toenails and fingernails start to grow
- Week 34 Your baby is active (moving) 60 percent or more of the time.

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<sup>i</sup> Kurjak and Chervenak, *Donald School Textbook of Ultrasound in Obstetrics and Gynecology*, Jaypee Brothers Medical Pub. 2011, 3rd Ed)

Larsen, William James, *The Essentials of Human Embryology*, (Churchill Livingstone Inc. 1998)

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Moore, Keith, TVN Persaud, and Mark G. Torchia, *The Developing Human: Clinically Oriented Embryology*, 9<sup>th</sup> Edition, (Elsevier, 2013)

Sadler, T.D., *Langman's Medical Embryology* 12th Edition (Lippincott, Williams and Wilkins, 2012)