

ACMG Responds to Court Decision on Ohio Law Criminalizing Physicians for Providing Healthcare Services Requested by Their Patients April 2021

The American College of Medical Genetics and Genomics (ACMG) is disappointed to see the recent decision of the U.S. Circuit Court of Appeals for the Sixth Circuit upholding an Ohio law (2017 House Bill 214) that not only interferes with open communication between patients and their physicians but penalizes physicians who provide requested services to their patients. The law prohibits physicians from providing abortion services *if a patient informs them* of a prenatal diagnosis of Down syndrome or any other reason to suspect that the fetus has or may have Down Syndrome. Violation of this law is a fourth-degree felony which includes *up to 18 months in prison* and revocation of the physician's license to practice medicine in the state. Because the law still allows patients to terminate the pregnancy if they *withhold that information* from their physician, the appeals court ruled that the law does not create a substantial obstacle for patients to obtain an abortion.

As stated in our 2020 [statement](#) on access to reproductive options after prenatal diagnosis, the ACMG is concerned about the enactment of laws that prevent or restrict access to termination of pregnancy after prenatal diagnosis of genetic disorders or congenital anomalies. The practice of medical genetics is predicated on the principle of providing patients with appropriate care based on complete and accurate information on the condition that affects them, a member of their family, or an unborn fetus. The Ohio law turns this principle on its head by encouraging patients to withhold critical information from their physicians.

Laws such as that enacted by Ohio serve only to interfere with the physician-patient relationship by discouraging patients from confiding in their physicians and preventing physicians from receiving information necessary to best educate and treat their patients. Further, as a result of such laws, patients may not receive all relevant treatment information, including options other than pregnancy termination. ACMG strongly opposes any legislation that prohibits healthcare professionals from providing complete and accurate medical care, obstructs the patient-physician relationship, or in any manner penalizes the provision of appropriate healthcare.