

## Florida's New Heartbeat Law

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### **Here is what you need to know:**

Florida's Heartbeat Bill goes into effect on Wednesday, May 1, 2024. The new law will protect an unborn child after a detectable heartbeat by legally prohibiting abortions after six weeks of gestation.

### **Abortion Doctors:**

By law, abortion doctors will now be legally prohibited from aborting unborn babies after six weeks of gestation. Abortionists use ultrasounds to determine the gestational age of the child and measuring "crown to rump." Crown-rump length (CRL) is the measurement of the length of an unborn child from the top of the head (crown) to the bottom of the buttocks (rump). There is a three- to four-day margin of error in this process of determining a six-week pregnancy.

### **Heartbeat or Six Weeks?**

While pro-life advocates have used the term "heartbeat" to describe the development of an unborn baby after six weeks, the law requires doctors use the more objective physical measurement of a child with calipers to determine gestational age at six weeks where the science has shown that the heart is beating. Pro-life advocates should not refer to the law as a "six-week ban," which is the language being used by pro-abortion activists. Instead, we should refer to this as the "new law that protects an unborn child after there is a detectable heartbeat" to emphasize the human development of the child.

### **Enforcement and Accountability:**

It is hard to document whether an abortion doctor is accurately complying with the law or illegally performing an abortion after six weeks. It appears nationwide that most abortionists are complying with state laws because the penalties can be severe if they are caught violating the law. In Florida, a doctor can lose their license to practice medicine. Still, given the brutal nature of what abortion is, it is not uncommon for these doctors to act in violation of the law.

### **Chemical Abortions:**

Recent data from the FDA indicates that nationwide as high as 63% of abortions are now chemical abortions. Florida could be around 54%. The new six-week law protecting unborn children after a detectable heartbeat is silent on chemical abortions. However, technically and logically, the new law would also apply to chemical abortions. The challenge, again, is enforceability as many chemical abortion drugs are being illegally mailed into various states. The drugs themselves are powerful and dangerous for pregnant mothers. However, they are not intended to be used after 10 weeks and can be lethal for time periods of pregnancy if taken after that. Doctors must dispense abortion drugs face to face, and no telehealth or mailing of these drugs are permitted.

## **Exceptions in the Law:**

There are two categories of exceptions in Florida law. One category of exceptions for pregnancies between six (6) and fifteen (15) weeks, and another set of exceptions for pregnancies is after fifteen (15) weeks.

### **Exceptions between six (6) and fifteen (15) weeks of pregnancy:**

- 1) **Rape**
- 2) **Incest**
- 3) **Human Trafficking** (all three above must be officially documented)
- 4) Life of the mother
- 5) \*Fatal Fetal Abnormalities
- 6) “Avert a serious risk of substantial and irreversible physical impairment or a major bodily function of the pregnant woman other than a psychological condition.”

### **Exceptions after fifteen (15) weeks:**

- 1) Life of the mother
- 2) \*Fatal Fetal Abnormalities
- 3) “Avert a serious risk of substantial and irreversible physical impairment or a major bodily function of the pregnant woman other than a psychological condition.”

### **Other requirements under Florida law:**

- Ultrasound. Woman has option to view or not view.
- 24-hour reflection period. Unless there is an emergency.
- Informed consent.

## **Funding for Pregnancy Support:**

Pro-abortion activists are quick to falsely accuse pro-life people of only caring that the child is born and then having no interest in the care and support of mothers after the child is born. Nothing could be further from the truth. In addition to the privately operated support from Florida’s 167 pregnancy centers, the new heartbeat law also provides for \$30 million in recurring public funds for pregnancy support and wellness services. This support would include:

- Clothing
- Cribs
- Car Seats
- Formula
- Diapers
- Pregnancy testing
- Counseling
- Mentoring
- Education Materials
- Pregnancy Classes
- Parenting Classes
- Adoption Classes
- Life Skills Training
- Employment Readiness
- Wellness services

## **Politics:**

Pro-abortion advocates are going to use May 1, 2024, and beyond to engage in a major statewide scare tactic campaign of fear, lies, and distortion. They will also use the new law as a way of trying to argue that Florida should pass Amendment 4, a radical proposal that would allow abortion for any “health” reason up to nine months of pregnancy. It would also be used as a tool to unravel 36 years of abortion laws and all health and safety regulations designed to protect women.

## **BIG LIES TO WATCH FOR:**

**LIE #1:** Ectopic Pregnancies. Pro-abortion advocates will argue that under the new law, women will be denied medical care for ectopic pregnancy, which is one of the primary situations where the life of the mother is an issue. An ectopic pregnancy is one in which the child is attached and developing in the fallopian tube and not in the wall of the mother’s uterus. This argument is not true. Nothing in the new law would prevent a doctor from performing a D&C or a surgical removal of a child born into an ectopic pregnancy.

**LIE #2:** Incomplete miscarriages. The same argument will be promoted for incomplete miscarriages as they will argue doctors will not treat a woman whose unborn child dies in a miscarriage but is not expelled from the body.

## **Examples of Fatal Fetal Abnormalities:**

Fetal Fatal Abnormalities (FFA), also known as “lethal fetal anomalies,” are rare conditions diagnosed before birth that children do not survive from after birth. These conditions typically result in either a stillbirth or neonatal death shortly after birth. Some examples of FFA’s include:

**Anencephaly:** This is a severe neural tube defect where the baby is born without parts of the brain and skull. Babies with anencephaly are usually stillborn or survive only a few hours after birth.

**Trisomy 13 (Patau syndrome):** This chromosomal disorder results in severe developmental abnormalities. Babies born with trisomy 13 often have multiple organ defects and usually do not survive beyond the first weeks or months of life.

**Trisomy 18 (Edwards syndrome):** Another chromosomal disorder, trisomy 18 causes severe developmental delays and organ abnormalities. Most babies with trisomy 18 are stillborn, and those who survive birth have a very limited lifespan, typically only a few months.

**Triploidy:** Triploidy is a chromosomal abnormality where there is an extra set of chromosomes in the cells. Babies with triploidy usually have severe birth defects and die before birth or shortly after.

**Holoprosencephaly:** This is a defect where the brain fails to divide into distinct hemispheres. The severity of holoprosencephaly varies, but severe forms are usually incompatible with life.

**Cystic Hygroma:** This is a fluid-filled sac that results from blockage in the lymphatic system. It can be associated with chromosomal abnormalities and structural defects and may lead to fetal demise.

**Renal Agenesis:** Absence of one or both kidneys. Bilateral renal agenesis is typically lethal as it prevents the development of the urinary tract.

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