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## Guttmacher Advisory

# **The Impact of Parental Involvement Laws**

### **Overview**

Antiabortion activists repeatedly claim that state laws requiring parental involvement (such as notification or consent) for minors to obtain abortions have been a major contributing factor to declining abortion rates among minors in the United States.

Most recently, Michael New, a visiting fellow at the antiabortion advocacy organization Family Research Council, posted an analysis on the organization's Web site that he claims "demonstrates that state level parental involvement laws are effective in reducing the incidence of abortion among minors."<sup>1</sup> New's analysis, which has not been published in a peer-reviewed journal, has serious methodological flaws. Like many previous studies on the subject, it is not able to substantiate the claim.

In contrast, there is strong evidence that the decline in minors' abortion rates is largely the result of fewer teen pregnancies, which, in turn, reflect better contraceptive use among adolescents. Moreover, the evidence suggests that even in the absence of parental involvement laws, some six in 10 minors involve at least one parent in their decision to have an abortion. Mandating this involvement can be harmful to some minors.

### **The scientific evidence**

- **There is no strong evidence that parental involvement laws have prevented many minors from obtaining abortions**
  - Most studies purporting to show a significant impact of such laws suffer from a range of serious methodological flaws. One common flaw of these studies (including New's) is that they track abortions by state of occurrence, not by state of residence. By failing to account for minors traveling to neighboring states to obtain an abortion, it is impossible to prove that parental involvement laws caused overall declines in minors' abortion rates, even if they may succeed in shifting the occurrence of abortions from one state to another.
  - Minors' abortion rates have been declining steadily for years, both in states with and without parental involvement laws. Even in states with such laws, the declines often started well before these statutes became effective.
  - A study published in the *New England Journal of Medicine* in 2006 found that in the period immediately following implementation of a Texas parental notification law, the abortion rate among teens aged 15–17 in the state fell more sharply than it did among 18-year-olds, who were not subject to the law.<sup>2</sup> The authors

concluded that the law was associated with reduced abortion rates among minors and an increase in the birth rate among older minors. However, given the design of this study, causality cannot be proven. If the law has had this effect, it likely reflects the fact that all states bordering Texas, with the exception of New Mexico, also have a mandatory parental involvement law, which makes it extremely difficult for Texas minors to seek an abortion elsewhere. The sheer size of the state contributes to that difficulty. Should additional states enact such laws, thus giving the minority of teens who seek abortions without involving parents fewer places to turn, these types of restrictions may begin to have a measurable impact on adolescent abortion rates.

- **Declines in minors' abortion rates are largely the result of declines in their pregnancy rates**

- Declines in minors' abortion rates reflect the fact that fewer minors are becoming pregnant in the first place. Between 1989 and 2002, the pregnancy rate among minors aged 15–17 declined 43% to a historic low.<sup>3</sup>
- Most (77%) of the reduction in the pregnancy rate among minors was the result of improved contraceptive use among sexually active minors; the remainder (23%) was attributable to some minors waiting longer to initiate sex.<sup>4</sup>

- **Mandating parental involvement can be harmful**

- The most vulnerable and scared teens are put at greatest risk. Forcing teenagers to disclose to their parents that they are pregnant or seeking an abortion may place some teens at risk of physical violence or abuse. According to a 1992 study, about one-third of teenagers who did not tell their parents about their decision to seek an abortion had experienced violence in their family, or feared that violence would occur or that they would be forced to leave home.<sup>5</sup>
- Legal impediments to teens' access to abortion services can result in teens' delaying abortions until later in pregnancy, when they carry a greater risk of complications and are also more expensive to obtain.
- Many medical, public health and youth-serving organizations have consistently opposed laws and policies requiring mandatory parental involvement for abortion services. These organizations—made up of professionals who study and work most closely with teens—include the American Academy of Family Physicians, the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, the American Medical Association and the Society of Adolescent Medicine, among others. They agree that health care providers have an obligation to encourage adolescents to talk to their parents about sexual activity and reproductive health care, and that they have an important role in facilitating such conversations. At the same time, however, they uniformly state that minors should not be forced to involve their parents in their decision to obtain an abortion.

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<sup>1</sup> New M, *The Effect of Parental Involvement Laws on the Incidence Of Abortion Among Minors*, Family Research Council, 2008, p. 1, <<http://downloads.frc.org/EF/EF08I28.pdf>>, accessed Oct. 13, 2008.

<sup>2</sup> Joyce T et al., Changes in abortions and births and the Texas parental notification law, *New England Journal of Medicine*, 2006, 354(10):1031–1038.

<sup>3</sup> Guttmacher Institute, *U.S. Teenage Pregnancy Statistics: National and State Trends and Trends by Race and Ethnicity*, New York: Guttmacher Institute, September 2006.

<sup>4</sup> Santelli JS et al., Explaining recent declines in adolescent pregnancy in the United States: the contribution of abstinence and improved contraceptive use, *American Journal of Public Health*, 2007, 97(1):150–156.

<sup>5</sup> Henshaw S and Kost K, Parental involvement in minors' abortion decisions, *Family Planning Perspectives*, 24(5):196–213.