



Susan Wengraf  
Councilmember District 6

CONSENT CALENDAR  
May 26, 2015

To: Honorable Mayor and Members of the City Council  
 From: Councilmembers Susan Wengraf and Linda Maio  
 Subject: Support of the Reproductive Freedom, Accountability, Comprehensive Care and Transparency Act (FACT), AB 775 (Chiu, D-San Francisco and Burke, D-Los Angeles)

RECOMMENDATION

Adopt a Resolution supporting AB 775. Request that City Clerk send signed copies of the resolution to our representatives, State Senator Loni Hancock and Assembly Member Tony Thurmond and Governor Jerry Brown. Also send copies to Assembly Members Chiu and Burke.

BACKGROUND

As a national leader for reproductive freedom, the State of California has adopted many laws supporting women's reproductive health and their right to make decisions independently and in consultation with their medical provider. However, many women still are unaware of state laws that fully support their reproductive rights. The Reproductive Freedom, Accountability, Comprehensive Care and Transparency (FACT) ensures California women receive the information they need to make well-informed decisions regarding their pregnancy options and to obtain the health care they need.

- FACT would require certain licensed facilities that provide pregnancy related services to post or distribute to clients information on their reproductive health rights.
- The required notice outlines California policy affirming an individual's right to use birth control, to bear a child or choose to obtain an abortion, as passed in the Reproductive Privacy Act.
- The notice will also include information about health-insurance coverage for reproductive-health services for eligible, low-income Californians and a phone number to acquire assistance.
- FACT would require unlicensed facilities that provide pregnancy-related services to clearly post and include in their advertising a statement that they are not medical facilities licensed by the state of California and do not have a licensed medical provider on staff.
- Licensed facilities are required to distribute notice of these rights to clients on site, in English and Spanish, through a poster, a printed handout or a digital disclosure.
- Unlicensed facilities are required to post the notice prominently in the facility and include it in print and digital advertising, including websites.

- If a complaint is filed against a facility for noncompliance, the Attorney General, a city attorney, or county counsel may impose a penalty. If the facility does not comply within 30 days, a \$500 fine is levied. Any subsequent compliance failures result in a \$1,000 fine for each violation.

In addition to ensuring women in California have access to information to make their own health-care decisions and obtain access to health coverage, the FACT Act would deter the deceptive tactics of organizations known as crisis pregnancy centers (CPCs) that pose as comprehensive reproductive-health centers, but are in fact, anti-choice organizations that operate with the goal of limiting women's choices regarding their pregnancy and reproductive health. CPCs often use false and misleading advertising to appeal to women, especially those with unintended pregnancies, who are looking for comprehensive reproductive healthcare but instead are often given medically inaccurate information about abortion and contraception and their pregnancy options.

Text of the proposed legislation can be found here:

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB775&search\\_keywords](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB775&search_keywords)

FINANCIAL IMPLICATIONS:

Minimal

ENVIRONMENTAL SUSTAINABILITY

NA

CONTACT PERSON

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Attachments:

1. Resolution

RESOLUTION NO. ##,###-N.S.

SUPPORT OF THE REPRODUCTIVE FREEDOM, ACCOUNTABILITY,  
COMPREHENSIVE CARE AND TRANSPARENCY ACT (FACT), AB 775

WHEREAS, the State of California is a national leader for reproductive freedom and has numerous laws supporting women's reproductive health and providing financial assistance for low-income residents to access these healthcare services; and

WHEREAS, many women are unaware of the range of support for reproductive rights that the State of California has to offer; and

WHEREAS, the Reproductive Freedom, Accountability, Comprehensive Care and Transparency (FACT) Act legislation ensures California women receive the information they need to make well-informed decisions regarding their pregnancy options and obtain the care they need; and

WHEREAS, the FACT Act would require certain licensed facilities that provide pregnancy-related services to post or distribute to clients information on their reproductive health rights; and

WHEREAS, the FACT Act would require noticing outlines California policy affirming an individual's right to use birth control, to bear a child or choose to obtain an abortion, as passed in the Reproductive Privacy Act and would also include information about health-insurance coverage of reproductive-health services for eligible, low-income Californians and a phone number to acquire assistance; and

WHEREAS, the FACT Act would deter the deceptive tactics of organizations known as Crisis Pregnancy Centers (CPCs) that pose as comprehensive reproductive-health centers, but are in fact, anti-choice organizations that target women with the goal of blocking them from considering abortion as an option and give women medically inaccurate information about abortion and contraception; and

WHEREAS, the FACT Act would help ensure that the intent of California's laws that protect reproductive freedom for California is fully realized; and

WHEREAS, support for women's reproductive rights is a long-standing legislative priority of the City of Berkeley; and

WHEREAS, the City of Berkeley has an extensive history of adopting resolutions in support of women's reproductive rights and healthcare access.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council hereby supports the Reproductive Freedom, Accountability, Comprehensive Care and Transparency (FACT) Act, AB 775 (Chiu and Burke).

