



**TO:** Senator Mary Daugherty Abrams  
Senator Matt Lesser  
Rep. Jonathan Steinberg  
Rep. Philip Young  
Senator Heather Somers  
Rep. William Petit

**FROM:** Lisa Maloney, President, CPCC

**DATE:** 02/19/2019

**RE:** Proposed Changes to H.B. 7070  
*An Act Concerning Deceptive Advertising Practices of Limited Services Pregnancy Centers*

The membership of the Connecticut Pregnancy Care Coalition strongly believes that no woman should be subject to deceptive, false or misleading advertising when facing an unplanned pregnancy. Our membership strongly adheres to this standard. This may be the reason no actual case of deceptive advertising was presented by advocates of H.B. 7070 at the February 11<sup>th</sup> public hearing.

Unfortunately, the CPCC was not invited to be a part of the discussions on this legislation, either this year or in 2018. Due to our exclusion from the table during the drafting of this legislation, it appears that an unnecessary animosity is developing between the CPCC and some members of the Public Health Committee. This is not the direction in which our organization desires to go and hopefully a more cooperative relationship can be built between the CPCC and the Public Health Committee.

The CPCC believes that the current legislation needs to be more comprehensive in which centers it covers and to provide a more realistic and user-friendly complaint process. Attached you will find our proposed substitute language for H.B. 7070. This substitute language addresses several key shortcomings with the currently proposed bill.

**1) Lacks Comprehensive Protection.**

The bill presently only addresses “limited service pregnancy care centers,” which are centers that do not refer for abortion or birth control. However,

these centers are not the only facilities that deal with women facing an unplanned pregnancy. Another category of centers licensed by the state as “family planning clinics” also deals extensively with this same group of women. There are currently 18 family planning clinics in Connecticut. These women should be protected from deceptive or misleading advertising no matter where they seek services. Unfortunately, due to the focus of the bill on “limited service pregnancy care centers” the committee may have missed an opportunity to hear if complaints exist about family planning clinics. Despite this fact, all woman under the stress of an unplanned pregnancy deserve protection from deception based either on ideological or financial goals. We must remember that a public health inspection of a licensed facility does not include a review of how that facility advertises.

**2) Lacks Clarity and Ease in Filing a Complaint**

The bill currently gives the Attorney General the authority to investigate and act on noncompliance issues referenced in the proposed legislation. It does not clarify whether or not the Attorney General can act on his own or must act in response to a complaint. Also, should a woman seek to file a complaint, we do not believe she would first turn to the Office of Attorney General. More than likely, the woman would contact the Department of Consumer Protection. In fact, the DCP online complaint service already contains the names of the pregnancy care centers in its dropdown list of businesses used when filing a complaint. Our proposed changes switch enforcement to the Department of Consumer Protection which appears to be an easily accessible contact point. The proposed language also requires that a written complaint be filed.

**3) Lacks Significant Legal Protections for Pregnancy Care Centers/  
Potentially Significant Legal Expenses**

The bill requires the Attorney General to take the pregnancy care center immediately to court, which can be an expensive and lengthy undertaking. It does not require legal expenses to be reimbursed if the center wins the case. By switching the enforcement of this legislation to the Department of Consumer Protection there is a better opportunity to resolve the issue out of court. Although some legal expenses may be incurred, they should be less than going directly to court. Our revised language also provides the defendant center a route for an administrative hearing and an appeal to the courts as an action of last recourse.

I hope you will seriously consider the proposed substitute legislative language for H.B. 7070 that I have attached for your review. If you have any questions on this proposal please feel free to contact me at 860-449-0386.