

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. RES. _____

Recognizing that Adriana Smith and her family's prolonged ordeal without their consent is the direct result of the Black maternal health crisis, the danger of laws that give rights to fetuses and take them away from pregnant people, and anti-abortion laws that continue to harm people who can become pregnant.

IN THE HOUSE OF REPRESENTATIVES

Ms. WILLIAMS of Georgia submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Recognizing that Adriana Smith and her family's prolonged ordeal without their consent is the direct result of the Black maternal health crisis, the danger of laws that give rights to fetuses and take them away from pregnant people, and anti-abortion laws that continue to harm people who can become pregnant.

Whereas, in early February 2025, Adriana Smith, a nurse and mother, sought medical treatment from Northside Hospital in Atlanta when she first felt symptoms including extreme headache, but was not given a full neurological workup;

Whereas Adriana Smith returned to the hospital the next morning for further treatment as her symptoms deteriorated rapidly overnight;

Whereas, on February 19th, 2025, at only 9 weeks pregnant, Adriana Smith was declared brain dead, and doctors began to preserve her bodily functions via ventilator at Emory University Midtown Hospital without consulting Adriana's family;

Whereas Adriana Smith's body may end up being kept on artificial support until her pregnancy reaches 32 weeks and the fetus can be delivered, meaning her bodily functions will have been supported for more than 5 months;

Whereas Black women in the United States suffer from the highest rate of maternal mortality, more than 3 times that of white women, due to pervasive and systemic barriers to care, including a troublingly common tendency for Black women's pain to be not given full consideration by medical professionals;

Whereas laws giving rights to fetuses strip the rights of pregnant people and their families to make decisions regarding their own healthcare, and places their medical decisions in the hands of politicians;

Whereas sections 4206 and 4751 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101–508), commonly known as a the “Patient Self-Determination Act of 1990”, (104 Stat. 1388-115, 1388-204), affirms the right to refuse medical care and formulate advance directives;

Whereas at least 29 States have laws that limit or prohibit the enforcement of advance directives if the patient is

pregnant, stripping pregnant people of the fundamental right to determine what care they receive;

Whereas an individual's pregnancy status should not inhibit their fundamental right to personal autonomy;

Whereas due to the Georgia Living Infants Fairness and Equality (LIFE) Act, which went into effect in 2022, providing abortion care is a felony crime in Georgia after fetal cardiac activity is detected with few exceptions;

Whereas deliberately vague anti-abortion laws have the intended effect of chilling the provision of medically necessary maternal healthcare, putting at risk the well-being of pregnant people and their fetuses, and worsening maternal health outcomes;

Whereas legal confusion and uncertainty, including fear of prosecution, lead to situations like that occurring at Emory Hospital, where Adriana Smith's body is being forcibly treated as a human incubator while her family grieves;

Whereas the Georgia Attorney General Chris Carr has said that "there is nothing in the LIFE Act that requires medical professionals to keep a woman on life support after brain death," and that "removing life support is not an action with the purpose to terminate a pregnancy", but has not explicitly ruled out prosecutions nor issued a formal advisory legal opinion;

Whereas anti-abortion laws and laws giving rights to fetuses deprive people who can become pregnant of their autonomy by prioritizing the life of the fetus over the health, medical decisions, and rights of the pregnant person, a dehumanizing practice that violates their civil rights and reinforces systemic control over their bodies; and

Whereas out of fear of criminalization, family separation, or mistreatment such as Adriana Smith is experiencing, many pregnant people avoid healthcare settings, even when they desire care, thus putting their health and the health of their fetus at risk: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) stands with Adriana Smith’s family in their
3 efforts to return dignity and justice to their family;

4 (2) condemns giving fetuses rights and taking
5 them away from pregnant people in our laws;

6 (3) condemns the troublingly common experi-
7 ence that Black women face in medical settings of
8 having their pain not given full credence or treat-
9 ment; and

10 (4) urges the government of States—

11 (A) to repeal State laws which ban or
12 criminalize abortion and abortion-related serv-
13 ices;

14 (B) to repeal laws that exclude pregnant
15 people from having their advance directives
16 come into effect;

17 (C) to clarify how anti-abortion laws giving
18 rights to fetuses should be interpreted in med-
19 ical settings, prioritizing the health and well-
20 being of pregnant patients; and

1 (D) to reaffirm and guarantee autonomy
2 and dignity to pregnant people over their life,
3 well-being, and medical needs.