

Crisis Pregnancy Center Investigation Summary: Maryland NARAL Educational Fund and the NARAL Foundation

“When I first found out that I was pregnant, as most people are, I was scared and confused. I didn't know who to turn to. So, I looked in the phone book for a place that would answer my questions and refer me to a doctor. I saw an ad for a free clinic in Glen Burnie, called “Mary's Center...”

They took a urine pregnancy test, and without giving me the results took me into a room with another lady for counseling... Then she went on to the different methods of abortion... She said that girls go to these clinics to have abortions and that they are often left alone afterwards. The clinics that perform these abortions don't even have to have real doctors performing the operation and they were sent home to deal with their pain.”

- From “Jane Doe's” experience at the Mary's Center in Glen Burnie
August 19, 2001

Background

Women who have comprehensive and reliable information about all of their reproductive options are better able to make informed and appropriate decisions about their reproductive health. Crisis pregnancy centers (CPCs) – the provider arm of the anti-choice movement – lure women to their facilities under false pretenses, deprive them of accurate information needed to make a fully informed choice, and use fear tactics to dissuade them from choosing legal abortion. CPCs first appeared in the United States in the 1970's.¹ Today, there are an estimated 3,000 crisis pregnancy centers across the country. While some CPCs may be organized locally, many are linked to national anti-choice organizations, which are increasingly aggressive in their efforts to promote CPCs.

In Maryland, there are approximately sixty-five CPCs. A definitive number is difficult to quantify due to the fact that some crisis pregnancy centers advertise under multiple names. For instance, the Rockville Pregnancy Center advertises as both the Rockville Pregnancy Center and the Woman to Woman Pregnancy Center. In addition, some crisis pregnancy centers are listed in phone books with numbers that have since been disconnected or hotline numbers are listed that connect women with local crisis pregnancy centers.

¹ Alan Cooperman. “Abortion Battle: Prenatal Care or Pressure Tactics?” *The Washington Post*, February 21, 2002, A1, A9.

Investigation

Purpose

After hearing disturbing accounts from women about experiences with crisis pregnancy centers, the Maryland NARAL Educational Fund, in partnership with the NARAL Foundation, initiated an investigation into crisis pregnancy centers. The purpose of our investigation was to determine whether the practices of Maryland crisis pregnancy centers were, in fact, targeting vulnerable women with unintended pregnancies in an effort to dissuade them from exercising their right to choose.

Process

Between April 2001 and June 2002, we sent volunteers into the facilities to determine exactly what information and services were being provided to Maryland women by crisis pregnancy centers. The volunteers always visited clinics in pairs. After each visit, the volunteers met with a member of the NARAL Foundation staff in order to share their experience inside the CPC. After the staff member typed up the volunteers' account, they sent it back to the volunteers to ensure that they adequately reported on their experiences.

Our investigation included personal visits to crisis pregnancy centers in Montgomery, Prince George's, Anne Arundel, and Baltimore counties, as well as Baltimore City. We visited seventeen CPCs in total. In two instances, we visited crisis pregnancy centers twice. The additional fifteen CPCs were visited once.

In addition to sending testers into geographically targeted areas, we also analyzed the advertisements of CPCs in the Verizon Yellow Pages and the Yellow Book. The purpose of our review of CPC advertisements was to determine whether crisis pregnancy centers were accurately describing their services. Because CPCs in other states have advertised under headings that do not accurately describe the services they provide, we also wanted to identify potential problems with the headings under which Maryland CPCs advertised.

Investigation Results

The results of our investigation are troubling. Investigators received false or misleading information about contraception and/or abortion in almost every CPC visited. In addition, investigators received conflicting information when they called on the telephone to arrange an appointment with some CPCs.

False and Misleading Information

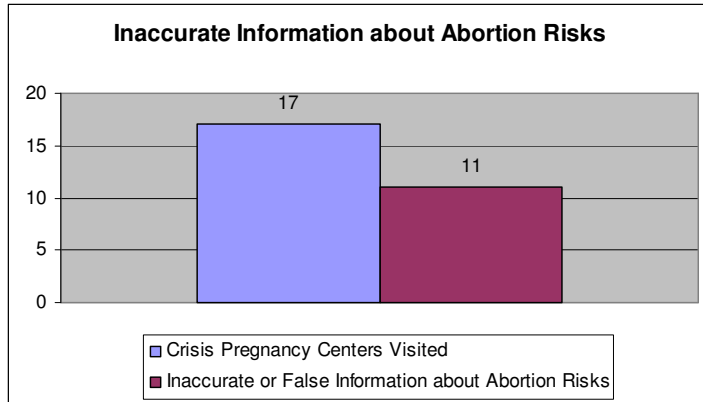
Abortion Risks

Abortion is a very safe procedure. In fact, less than one percent of women who have abortions experience a serious complication.² Further, there is no evidence that women who have an abortion within the first twelve weeks of pregnancy have difficulty with childbearing.³

² The Alan Guttmacher Institute. Facts in Brief: Induced Abortion. 2002.
http://www.agi-usa.org/pubs/fb_induced_abortion.html

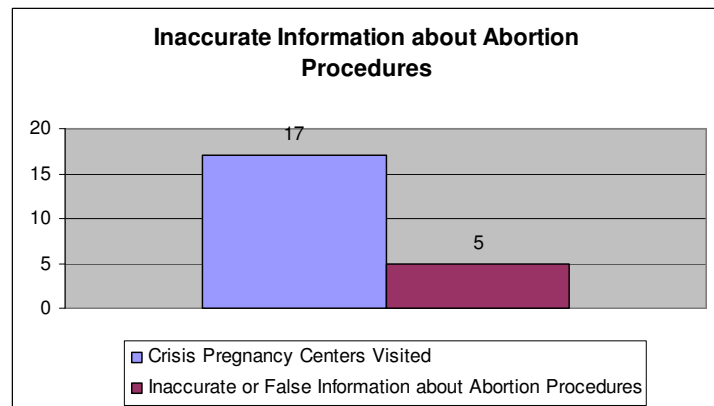
³ Ibid.

In 65 percent of all crisis pregnancy centers visited, investigators were provided with inaccurate and misleading information about risks associated with abortion. Investigators were told by CPC volunteers that abortion results in breast cancer, cervical incompetence, inability to bear future children, hemorrhaging, miscarriage, perforated uterus, so-called Post Abortion Syndrome⁴, and/or infection. An investigator was told by a Christle Lighthouse Pregnancy Care Center volunteer that infections from abortions resulted from left over baby parts in the uterus. The same volunteer stated that abortions cause hemorrhaging, miscarriages and perforated uterus.



Abortion Procedures

Nearly a third (29 percent) of the CPCs visited provided inaccurate and misleading information about abortion procedures, often presenting such information in graphic, non-medical terms designed to frighten women. For example, at Mary’s Center in Glen Burnie, an investigator was told by a CPC volunteer that during an abortion procedure the doctor “sucked the baby’s brains out so it could fit into the birth canal.” At the Forestville Pregnancy Center, a volunteer stated that “the knife cut up the baby” and “the baby parts were sucked out” when explaining an abortion procedure to an investigator.



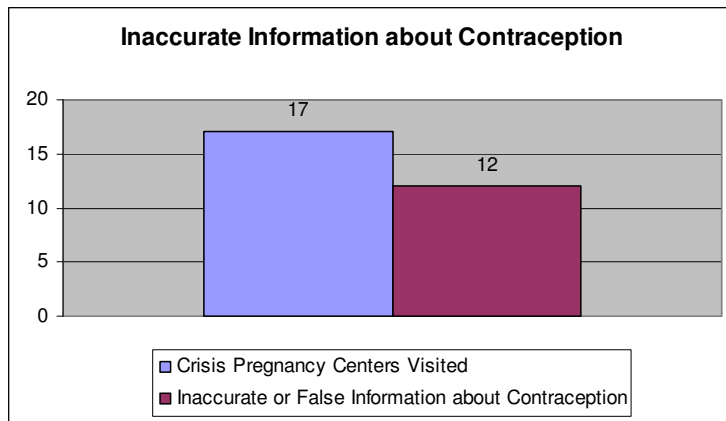
Contraception

Seventy percent of crisis pregnancy centers visited provided investigators with false and misleading information about contraception. Investigators were told that birth control pills were dangerous, cancer causing, and/or ineffective. In ten crisis pregnancy

⁴ Post Abortion Syndrome is not recognized by the American Psychological Association or American Psychiatric Association.

centers, investigators were also told that condoms were ineffective at preventing pregnancy and sexually transmitted diseases. In addition, some CPC volunteers and staff incorrectly claimed that Depo-Provera, IUDs, birth control pills and emergency contraception pills resulted in an abortion.

A Forestville Pregnancy Center volunteer told an investigator “As long as we’re being frank, condoms don’t prevent diseases because most diseases, like lice, live in the pubes not in the head of the penis. That’s all the condom covers.” She also stated that most men won’t use condoms and that “lots of women get pregnant on the pill.” The Forestville Pregnancy Center claims to be a medical facility.



Evasive Responses and Conflicting Information

In addition to the inaccurate information investigators received from CPC volunteers and staff during their visit, several investigators noted inconsistencies between what the CPC staff told them on the phone and what actually occurred during their visit. In an effort to convince women to make an appointment, some CPC volunteers also responded evasively to telephone inquires about the services they would provide.

For example, at the Greater Baltimore Crisis Pregnancy Center on St. Paul Street, the investigator was told on the phone that the CPC counselors would discuss her “options” with her and would provide her with information about birth control if she was not pregnant. The CPC volunteer did not disclose that the center was an anti-abortion organization. When the investigator asked about birth control during the course of her visit, the CPC volunteer stated that she could not provide her with information about birth control and that she could only provide information about abstinence.

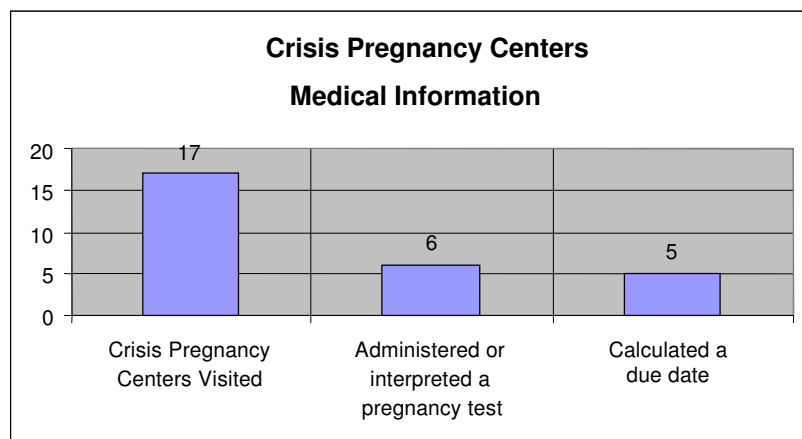
When an investigator contacted the Greater Baltimore Crisis Pregnancy Center on Holabird Street to arrange an appointment she found that the CPC staff member was evasive about the services they provide. When mentioning the possibility of aborting, and questions relating to the procedure, the volunteer repeated, “We’ll discuss that when you get here...we’ll tell you all the information when you get here.” When the investigator asked for information about birth control, the volunteer again replied, “We’ll discuss that when you come for your appointment.” Upon signing in for her appointment, the investigator was asked to sign a form indicating that she would not

receive an abortion referral. Furthermore, the only information provided to the investigator about abortion was that she would regret having an abortion. She was also told that abortion providers “are only in it for the money” and that abortion is “bad and scary.”

At the Bowie-Crofton Crisis Pregnancy Center, when the investigator called for an appointment, she was told that the crisis pregnancy center was a medical facility. When she visited the center, the investigator was asked to sign a consent form which stated that the staff were not necessarily certified counselors or therapists. The investigator did not see any evidence of medical professionals inside the center during her appointment.

“Medical” Services Administered by Unlicensed Providers

In over a third of the crisis pregnancy center visits, CPC staff or volunteers administered and/or interpreted pregnancy tests for our investigators.⁵ In some cases, the CPCs administered tests without disclosing the type of test used or providing any documentation regarding the test results. In six cases, crisis pregnancy volunteers calculated a due date for the investigator.⁶



In most of the crisis pregnancy centers, the pregnancy tests administered to women appear identical to those that can be purchased by consumers directly over-the-counter. Home pregnancy tests are Class II medical devices and are regulated by the FDA pursuant to 21 CFR §862.1155. They vary in method and sensitivity, requiring as little as 20 or as much as 250 mIU of hCG to produce a positive result.⁷ Most recommend retesting in several days. When purchased by consumers directly, these tests are accompanied by the requisite patient inserts approved by the FDA.⁸ Most if not all of the home pregnancy test manufacturers give an 800 number that consumers can call to seek advice from professionals. Pfizer’s insert, for example, discloses that it has a

⁵ The following CPCs administered and interpreted pregnancy test results: Centro Tepeyac, Baltimore Pregnancy Center – Harford, Pregnancy Center North, Birthright of Annapolis, Mary’s Center, and Pregnancy Center West. Birthright of Wheaton administered a pregnancy test.

⁶ CPCs that calculated due dates include Centro Tepeyac, Shady Grove Pregnancy Center, Laurel Pregnancy Center, Greater Baltimore Crisis Pregnancy Center – Highland Street, Greater Baltimore Crisis Pregnancy Center – St. Paul Street, Greater Baltimore Pregnancy Center – Holabird Street.

⁷ See, e.g., <http://www.babyhopes.com/hpt.html>, last visited July 30, 2002.

⁸ See <http://www.fda.gov/cdrh/ode/guidance/1172.pdf>, which sets forth the federal government’s product insert guidelines for hCG detection device (pregnancy test) manufacturers. Copies of two sample inserts from commercial home pregnancy tests are provided herewith.

Registered Nurse available to consult with consumers who call their 800 number, as well as a 24-hour help line.

Women who visit CPCs for pregnancy testing remain unaware of these resources because they are deprived of the FDA-mandated written data about the OTC testing they have received. In contrast to the flyers and other non-medical material that was made available to our volunteers by the CPCs, not one of them left the CPC premises with the product insert from the sole clinical test that was actually administered – one that can be purchased directly by the consumer for a few dollars at any drugstore or even online.

The Federal Food & Drug Administration requires that product inserts be provided to consumers to provide them with relevant product data about over-the-counter diagnostic tests. A licensed learned intermediary has the authority to conduct and interpret tests in his or her office, and a medical standard of care governs the licensed practitioner (and/or the medical provider who employs trained counselors) in deciding how those risks and benefits are conveyed in the event printed product inserts are not passed directly along to the patient. Although patients visiting a medical clinic have access to licensed practitioners to explain the risks and benefits of the tests and procedures that are performed, no such licensed intermediary provides this data to patients at the CPCs.

In most instances, Maryland NARAL Educational Fund volunteers were not provided information by CPC staff about potential problems with over-the-counter pregnancy tests, including test accuracy and reliability, or data respecting false positives and false negatives, and other data the FDA deems important enough to include in the product inserts for these regulated devices.

In some instances, the administration and interpretation of pregnancy tests by CPC staff has the potential to further confuse consumers about whether or not the CPCs are medical facilities. For example:

- At Birthright of Annapolis, the volunteer investigator's pregnancy test was interpreted by the CPC volunteer, who did not mention that Birthright was not a medical facility.
- Centro Tepeyac is located in a building with "Medical Building" displayed on its exterior. Only after administering and interpreting the pregnancy test results of the volunteer investigator, the Centro Tepeyac volunteer told our investigator that the CPC was not a medical facility.

Advertising

Crisis Pregnancy Centers Claiming to Be Medical Facilities

The results of our CPC advertising analysis demonstrate that CPCs are indeed providing false and misleading information. For example, the Forestville Pregnancy Center distributes materials stating that their facility has licensed medical staff.

However, the Maryland NARAL tester who visited the center was asked to sign a waiver stating that the center recommended seeking professional help and that the pregnancy tests were not 100 percent accurate, and encouraging the client to seek medical consultation.

The Rockville Pregnancy Center advertises as a medical facility both in the Yellow Pages and on materials they distribute. However, in one instance, when an investigator contacted the center to arrange a visit she was told that she would not meet with a doctor or nurse. In a second instance, the investigator was told that she would meet with a “counselor.” The CPC volunteer failed to disclose that the counselor was not a medical professional and was, instead, a volunteer.

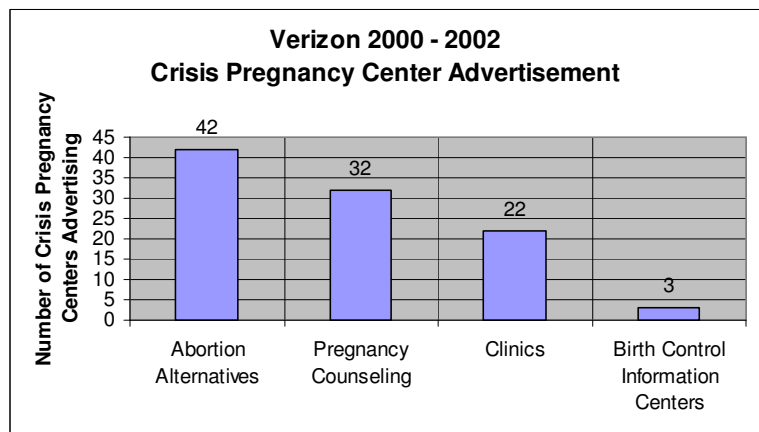
Yellow Pages Advertising

We reviewed CPC listings in every Verizon Yellow Pages phone book in the state. In addition, we reviewed CPC listings in Yellow Book for Annapolis/Anne Arundel County, Columbia/Howard County, Frederick County, Suburban Maryland, Westminster/Carroll County and Metropolitan Baltimore. We reviewed the most recent versions of these phone books.

Verizon Yellow Pages Advertising

In both the Verizon Yellow Pages and the Yellow Book, crisis pregnancy centers advertise under headings that could easily be confused by women seeking assistance with an unplanned pregnancy. Forty-two CPCs advertise under “abortion alternatives” in the Verizon Yellow Pages. Verizon provides a disclaimer preceding the listings stating “Advertisers under this heading provide assistance, and/or information on abortion alternatives. They do not provide abortion services, or abortion referrals.” However, the disclaimer does not appear on every page so that women may not see the statement when looking for assistance with an unintended pregnancy.

Thirty-two crisis pregnancy centers advertise under the ambiguous heading “pregnancy counseling” in the Yellow Pages. However, it is not clear from the advertisements that the facilities are anti-abortion, that they do not provide medical counseling and that they will not provide referrals for abortions.



Twenty-two crisis pregnancy centers advertise under “clinics” in the Verizon Yellow Pages. The Verizon Yellow Pages precedes the clinics heading with a statement reading “Advertisers under this heading provide a variety of services and do not necessarily provide medical services. When calling, ask what services are provided.” However, the statement does not

precede each column resulting in potential confusion among women seeking legitimate reproductive health care services.

Three crisis pregnancy centers advertise under “birth control information centers.” While some CPCs may provide information about birth control, our investigation found that most of the information was false or misleading. In addition, it is highly unlikely that the centers listed will refer women to medical professionals who will supply them with contraception, a service implied by the heading.

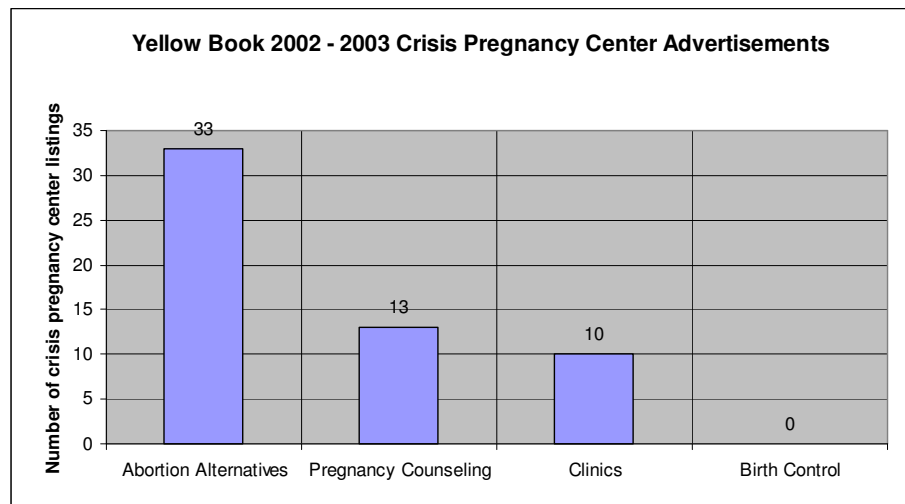
Advertising in Yellow Book

Thirty-three CPCs advertise under “abortion alternatives” in the Yellow Books that we reviewed. The disclaimer preceding the listings underneath “abortion alternatives” states “Organizations listed at this heading provide assistance, counseling, and/or information on abortion alternatives. They do not provide abortion services, nor do they provide counseling or information on the attainment of abortions.” In some instances, however, the disclaimer appears on the page prior to listings for CPCs. The crisis pregnancy center listings are next to listings for legitimate reproductive health facilities.

Thirteen CPCs advertise under “pregnancy counseling” in the Yellow Book. As with the Verizon Yellow Pages, no disclaimer precedes the listings. Crisis pregnancy centers are listed under this heading along side legitimate reproductive health centers, such as Planned Parenthood.

Ten CPCs advertise under “Clinics” in the Yellow Book. Unlike the Verizon Yellow Pages, the Yellow Book does not precede the “Clinics” listings with a

statement concerning the potential non-medical nature of some of the listings. By looking at the listings underneath the “Clinics” heading, women are not able to discern which facilities are legitimate reproductive health facilities and which are anti-abortion, non-medical facilities.



Consumer Protection Concerns

The Maryland NARAL Educational Fund is concerned that the conduct of crisis pregnancies centers in Maryland violate Maryland's consumer protection statute in two ways. First, the CPCs advertise and promote themselves as something they are not. Second, they misinform and mislead vulnerable health care consumers so as to deprive them of timely and otherwise appropriate health care. The potential to cause real

physical harm to Marylanders is great; there are women being misled by these centers every day as evidenced not only by our own volunteers but also a member of the public who complained to us about being upset by CPC practices.

Conclusion

Maryland's consumers are in need of protection from the unfair practices and false and misleading information promulgated by the numerous Crisis Pregnancy Centers in Maryland. The problems the Maryland NARAL Educational Fund has documented deserve prompt action from the Office of the Attorney General of Maryland. The problems witnessed by numerous volunteers are systemic, not isolated to one center or one provider entity. Maryland's Consumer Protection Act protects the public from practices such as these and we sincerely hope the Attorney General will take appropriate steps to bring the CPCs' unlawful practices to a halt.

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