

# 1. Ultrasound Quality Assurance and Safety Act

## Issue Overview

**Unregulated Pregnancy Clinics (UPCs) often present themselves as free medical clinics to mislead clients seeking abortion.** Their primary goal is to prevent clients, through persuasion, misinformation, or delay, from having an abortion.<sup>33</sup> While these organizations have the right to oppose abortion, most use misleading tactics, including ads, signs, and websites presenting their facilities as conventional medical clinics, even, at times, as abortion providers.<sup>34,35</sup> Inside, they often resemble medical offices, with waiting rooms and exam rooms outfitted with medical equipment and staff in lab coats and scrubs. Clients must often fill out intake forms that ask for extensive private health information.<sup>36</sup>

**According to recent studies, around three-quarters of UPCs offer ultrasounds.**<sup>37,38</sup> These are not diagnostic tests. UPCs offer ultrasound to emotionally influence clients to continue their pregnancy and to telegraph medical legitimacy.<sup>39,40</sup> In states where ultrasound is required before abortion care, many UPCs falsely claim their services fulfill that legal requirement.<sup>41</sup>

**The American Institute of Ultrasound in Medicine (AIUM) condemns using ultrasounds for any non-medical purpose.** AIUM states, “The use of ultrasound without a medical indication to view the fetus, obtain images of the fetus, or identify the fetal external genitalia is inappropriate and contrary to responsible medical practice.”<sup>42</sup>

**Moreover, the operators of ultrasound machines at many UPCs do not meet the American Institute of Ultrasound in Medicine (AIUM) training guidelines.** According to AIUM, proper diagnostic ultrasound exams must be conducted by, or under the direct supervision of, a physician, physician assistant, or nurse practitioner who has received specialized training.<sup>43</sup>

**Even Care Net, one of the largest UPC umbrella organizations in the U.S., acknowledges that performing ultrasounds outside of medical practice is unethical.** Responding to, “Can we just do ultrasounds without becoming a medical clinic?” Care Net’s answer is unequivocal: “Absolutely not. The use of ultrasound energy in any form is considered the practice of medicine.”<sup>44</sup>

**Some states take ultrasound regulation more seriously for animals than for humans.** For example, some states, including Georgia,<sup>45</sup> Minnesota,<sup>46</sup> Pennsylvania,<sup>47</sup> and Texas<sup>48</sup> prohibit unlicensed operators from conducting ultrasounds on livestock, defining it as the practice of veterinary medicine. Ironically, those same states currently allow unlicensed individuals to perform ultrasounds on pregnant people.

**In addition to UPCs, for-profit “keepsake” photo businesses also perform non-medical ultrasounds to create souvenir images or videos.** Unlike UPCs, these businesses are transparent and make no claim to offer medical services. Still, some states, including California and Washington, ban these companies due to health and safety concerns.