



TESTIMONY IN OPPOSITION TO HOUSE BILLS 5296, 5661, 5295

TO: House Judiciary
From: Kelly Nevins, CEO, Women's Fund of Rhode Island
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Women's Fund of Rhode Island (WFRI) is a nonprofit organization whose mission is to invest in women and girls through advocacy, research, grant-making, and strategic partnerships designed to achieve gender equity through systemic change. ***We strongly oppose House Bills 5661, 5295, and 5296—each of which threatens access to abortion care, inserts political ideology into medical decision-making, and undermines the safety and autonomy of both patients and providers.*** These bills do not reflect medical realities, are not grounded in science, and open the door to litigation, criminalization, and harmful misinformation.

House Bill 5661 – “Death by Wrongful Act”

This bill expands the statute of limitations to ten years for any wrongful act resulting in the death of a child in utero or within six months of birth. While it may appear compassionate on its face, it introduces vague legal standards that could be weaponized to undermine access to legal abortion and reproductive care. The bill's language creates uncertainty for healthcare providers and families alike and could result in prolonged legal exposure, increased malpractice claims, and additional emotional distress.

House Bill 5295 – “Relating to Criminal Offenses – Children”

This bill would criminalize the “knowing and intentional” failure of licensed medical personnel to provide care to an infant born alive, making such failure a felony if it results in the infant's death. These situations are exceedingly rare and already governed by existing medical standards and ethics. Providers are trained to deliver care that is medically appropriate, compassionate, and aligned with patient and family wishes. This bill would force physicians to act out of legal fear rather than clinical judgment — potentially prolonging suffering or acting against best practices in cases involving nonviable births or severe anomalies.

House Bill 5296 – “Born-Alive Protection Act”

Similar to H5295, this bill adds the threat of **felony prosecution, civil liability**, and an **automatic one-year license suspension** to situations involving infants born after an abortion. This deeply inflammatory proposal misrepresents how abortion care and neonatal medicine actually work. It creates a chilling effect on providers who may fear criminal charges simply for offering care aligned with medical guidelines or for respecting the decisions of grieving families. This bill is not only redundant—it is cruel, misleading, and dangerous.

The Impact: Disproportionate Harm to Marginalized Communities

All three bills would cause disproportionate harm to those who already face systemic barriers to care: communities of color, immigrants, LGBTQ+ individuals, low-income families, and rural residents. Rather than promoting health or safety, these bills compound fear, stigmatize necessary care, and threaten access to the full spectrum of reproductive health services.

We urge the committee to reject these harmful, unnecessary bills.

If we truly care about supporting children and families, we must invest in policies that are evidence-based and equity-centered, such as access to comprehensive sex education, affordable contraception, maternal health support, and economic security for caregivers. These initiatives will do far more to improve outcomes than punitive, medically unsound proposals like H5661, H5295, and H5296.

About Women's Fund of Rhode Island

WFRI is proud to provide data-driven policy research to advance gender equity in our state. You can learn more about our Women's Well-Being Index and reports at www.wfri.org/research.

We remain steadfast in our commitment to reproductive justice and in supporting the right of every individual to make personal medical decisions without political interference.