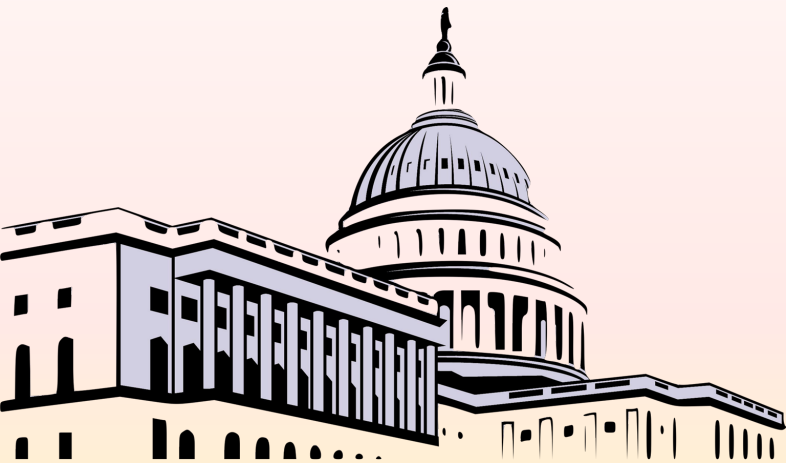




ASSOCIATION  
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PROGRAM  
DIRECTORS

# HOT TOPIC

Catherine D. Shubkin, MD HEC-C  
Kristin Crichton, DO MPH



**APPD 2023 Annual Fall Meeting**

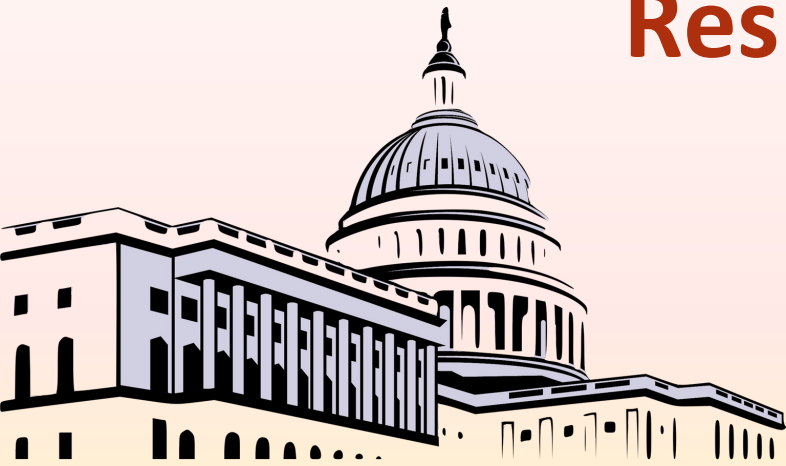
**September 21-22, 2023**  
*Renaissance Arlington Capital View Hotel*  
Arlington, Virginia



ASSOCIATION  
OF PEDIATRIC  
PROGRAM  
DIRECTORS

# A CALL TO ACTION:

## Transforming Pediatric Education in Response to *Dobbs v. Jackson*

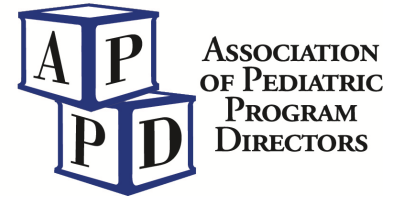


**APPD 2023 Annual Fall Meeting**

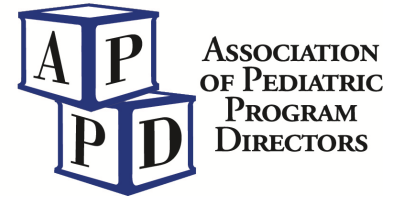
**September 21-22, 2023**  
*Renaissance Arlington Capital View Hotel*  
Arlington, Virginia

# Disclosures

- We have nothing to disclose.



# Acknowledgements



- Community Health & Advocacy Learning Community
  - Chair – Rosemary Hunter, MD Vanderbilt University
  - Vice-chair – Kira Sieplinga, MD Spectrum Health in Grand Rapids Michigan
- AAP CPTI
  - Co-Chair, Steven H. Chapman, MD, Dartmouth Health Children's
- Center for Adolescent Health & the Law,
  - Director, Abigail English, JD





*Dobbs v. Jackson Women's Health Organization*

June 24, 2022

# Overview



Current legal landscape



Implications for GME



Ethical implications



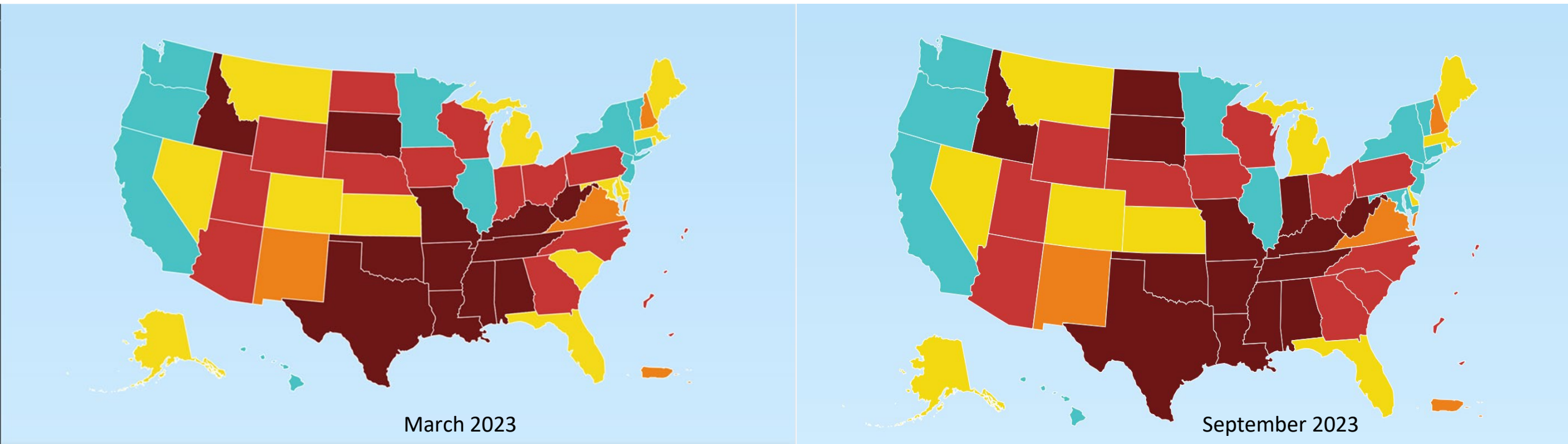
Advocacy

# Legal Landscape for Abortion Restrictions & Protections in a Post- Dobbs World

Abigail English, JD  
[abigail.english.cahl@gmail.com](mailto:abigail.english.cahl@gmail.com)



# Legal Landscape for Abortion Post-Dobbs



Center for Reproductive Rights, After Roe Fell: Abortion Laws by State, <https://reproductiverights.org>

# Evolving Restrictions on Abortion

## **Types of bans and restrictions**

- Medically unnecessary restrictions
- Bans based on gestational age
- Pre-Roe trigger bans
- Pre-Roe bans
- Total bans
- Restrictions on medication abortion
- Criminal penalties
- Civil lawsuits by individuals

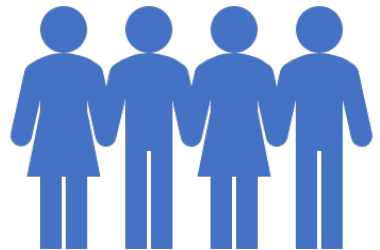
## **Questions of interpretation**

- State constitutional protection
- Absence of other protections

# Legal and Ethical Questions to Consider

- Increasing potential for loss of confidentiality protection
- Heightened access barriers for young people
- Legal-ethical challenges for healthcare professionals

# Dealing with Dobbs



What does it  
mean for  
pediatricians in  
training?

What does it  
mean for  
faculty who  
train them?



# APPD: We are not alone



## New Gaps and Urgent Needs in Graduate Medical Education and Training in Abortion

### Viewpoint

November 1, 2022

### Implications of the *Dobbs* Decision for Medical Education

Inadequate Training and Moral Distress



Academic Emergency Medicine  
A GLOBAL JOURNAL OF EMERGENCY CARE

SPECIAL CONTRIBUTION

Post-Roe emergency medicine: Policy, clinical, training, and individual implications for emergency clinicians

**Abortion Is a Right: Perspectives of Family Medicine Physician Residents**



# Recruitment & Retention?

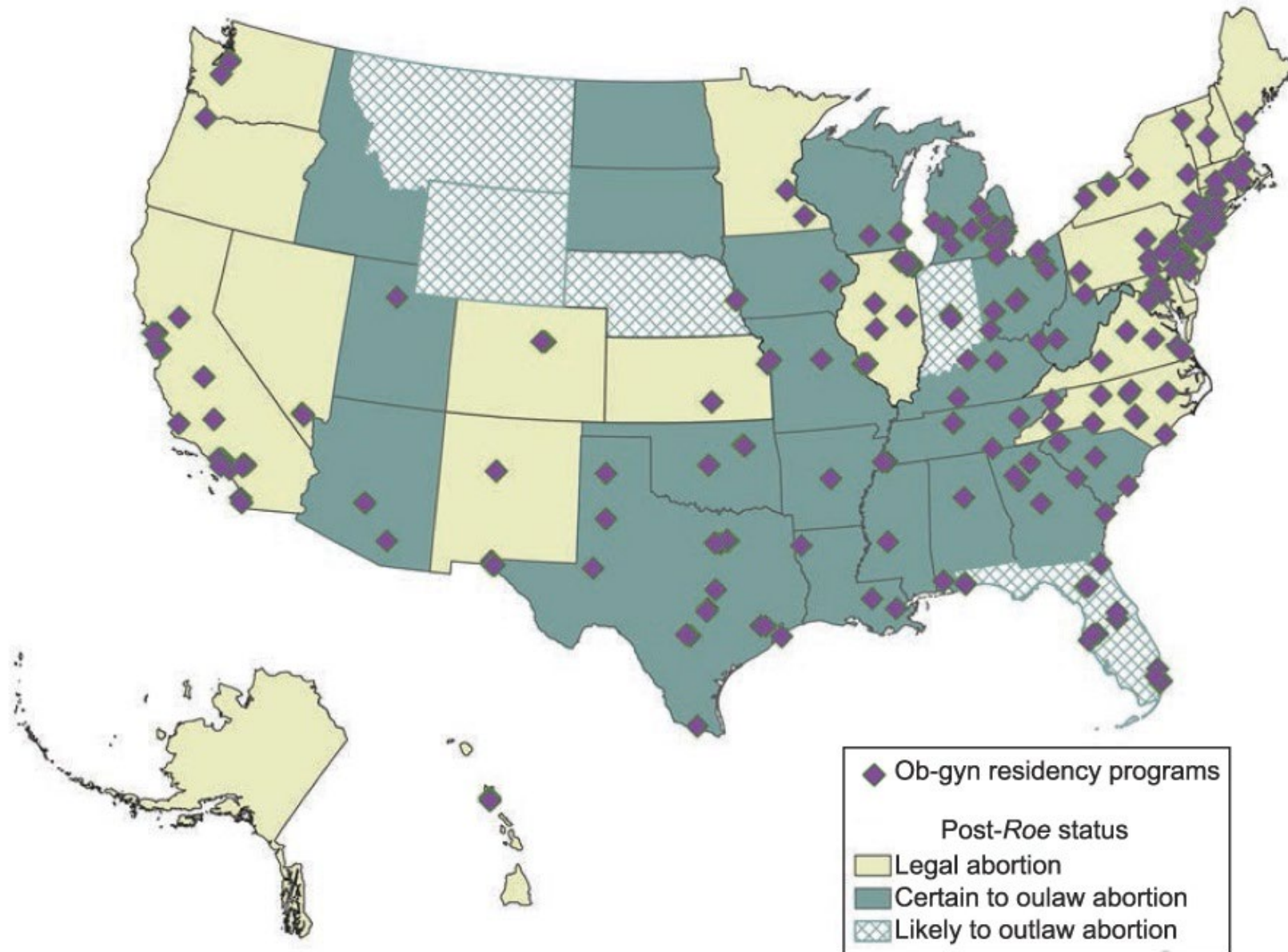
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September 6, 2023

*The New York Times*

- OB/Gyns and MFMs are shifting resulting in deserts of maternity care compounding strains on the system already impacted by economic struggles
- Thus, we will likely see an increase in infants with severe and complex congenital anomalies with poor prognoses
  - Increase NICU census and further strain these same medical care deserts

# OB/Gyn Residencies by Projected Legal Status of Abortion



# ACGME: OBGYN Training 2022

- 
- IV.C.7.a).(4) Programs **must** provide clinical experience or access to clinical experience in the provision of abortions as part of the planned curriculum. If a program is in a jurisdiction where resident access to this clinical experience is unlawful, the program must provide access to this clinical experience in a different jurisdiction where it is lawful.

ACGME Core Competency	Impact on Pediatric Trainees
Patient Care	Inability to provide comprehensive reproductive health anticipatory guidance to adolescents.
Medical Knowledge	Failure to practice the skills needed for pregnancy options counseling using a reproductive justice lens.
Interpersonal communication	Establishment of trust with a pregnant teen and effectively communicating with the teen and the parent or guardian is at risk.

ACGME Core Competency	Impact on Pediatric Trainees
Professionalism	Moral distress when prima facie duty to holistic patient care is hindered when legal restrictions prevent medically indicated and evidence-based care.
Practice based learning and improvement	Inability to rigorously integrate evidence-based care for pregnant teens.
Systems based practice	Need to understand local restrictions and protocols for addressing adolescent pregnancy within the context of possible criminal or civil liability. Need increased exposure to advocacy training to address systemic reproductive injustice.

# Educational Training— Rotations

Adolescent Health

Child Abuse

Partnerships or training in faith-based institutions

Need for away rotations

Simulation or on-line learning

# Educational Training—Curricula

## What does every pediatrician need to know?

Comprehensive  
reproductive  
health education

Health equity &  
Reproductive  
Justice Issues

Options  
counseling for  
pregnancy

Impact of law on  
the practice of  
medicine

Advocacy skills

# Educational Training—Curricula

## What does every pediatrician need to know?

### Comprehensive reproductive health education

- Pediatric training must include knowledge of the spectrum of sexuality and gender in an inclusive and supportive health care environment
- Residents should understand adolescent decision making and how to address ethical dilemmas when patients and caregivers diverge in their desires
- Pediatric trainees should obtain education on evidence-based contraceptive counseling and all contraceptive options, including long-acting reversible contraception

### Options counseling for pregnancy

- Pediatric trainees must be able to provide counseling on pregnancy options, including abortion care
- We propose that pediatricians familiarize themselves and their trainees with the basics of medication abortion and consider adding it to their practice

# Educational Training—Curricula

## What does every pediatrician need to know?

### Health Equity & Reproductive Justice Issues

- Reproductive health education needs to be grounded in principles of reproductive justice

### Impact of law on the practice of medicine

- Pediatric trainees will also need to receive training on the legal implications of providing abortion referrals or services in the jurisdiction(s) in which they practice.
- Pediatric educators must be trained in identifying and mitigating circumstances that lead to moral distress and teach trainees how to recognize when they are struggling and how to seek appropriate support.
- Residents will also need ethics training on the limits of conscientious objection in providing necessary medical care.

# Educational Training—Mentorship

## What else might our trainees need?

- Faculty and Program leadership need to be able to mentor and support trainees who may be facing their own pregnancy challenges
- We need to advocate for all training sites to provide comprehensive reproductive health medical care
  - If not available, the financial resources for trainees to travel to centers that can provide that care
- We need to mentor our trainees to be resilient but prepare them for the moral dilemmas that they may face and identify ways to mitigate that stress
- Moreover, we need to mentor trainees to speak up and advocate to provide comprehensive health care, which includes abortion services, to all patients regardless of age, gender, income, geography, or race

# Educational Training—Milestones & Evaluation



# Ethical IMPLICATIONS

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- Professional Identity Formation
- Conscientious Objection
- Reproductive Justice and Equity



# Ethical Implications

---

*“Abortion bans challenge the core tenets of physician professionalism & medical ethics: patient autonomy, primacy of patient welfare, social justice; patient-centered, evidence-based care; beneficence; nonmaleficence; and equity. Violations of these core medical profession principles heighten the risk of moral distress.”*

-Mengesha B, et al, JAMA Viewpoint 2022



# Moral Injury & Moral Distress

When you know WHAT to do,  
but can't do it...

“Moral distress arises when one knows the right thing to do, but institutional constraints make it nearly impossible to pursue the right course of action”

*Jameston, A. 1984*

# What is Conscientious Objection?

The refusal to provide medically (*legally*) indicated interventions

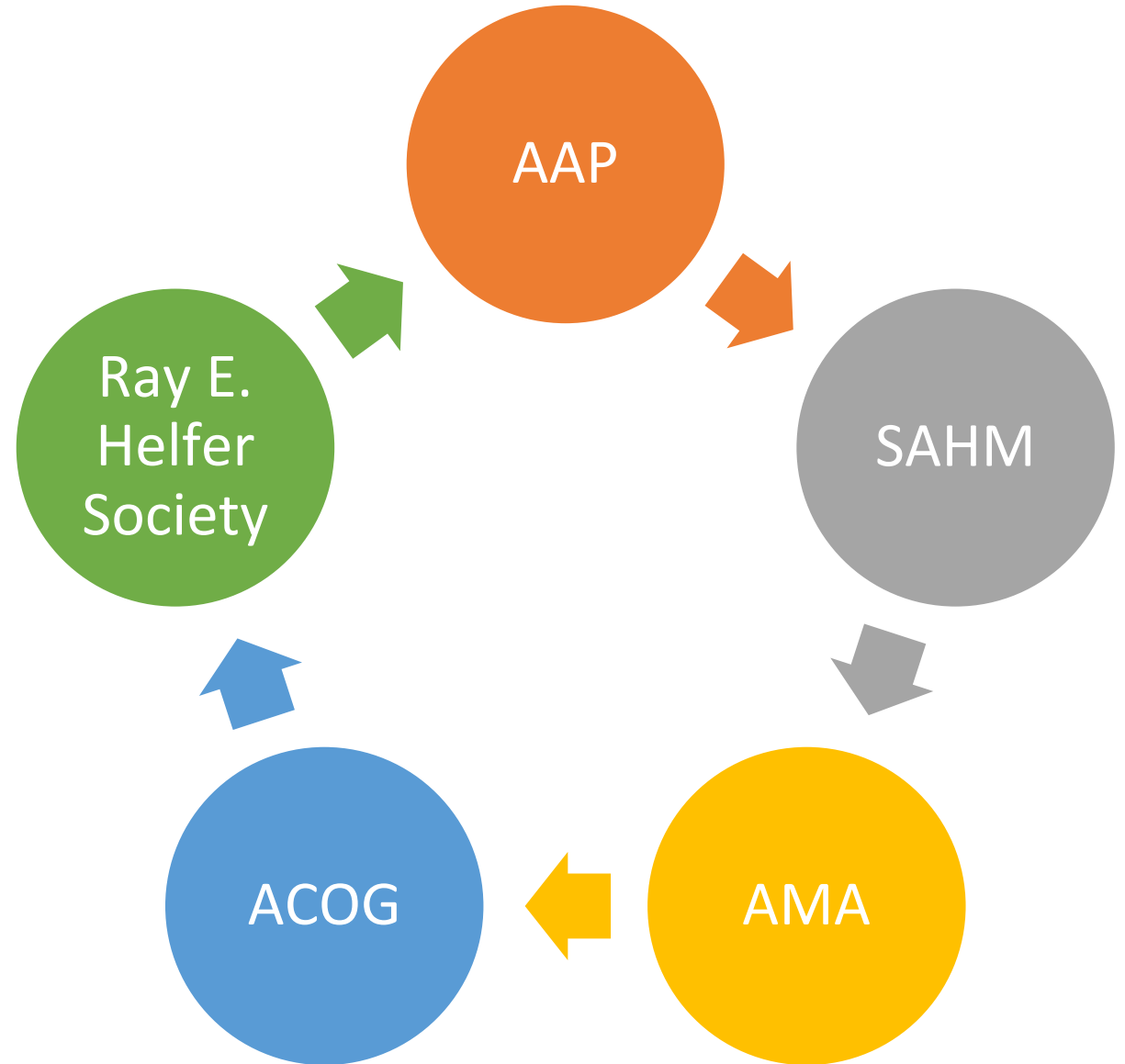
Owing to the professional's personal, moral, or religious beliefs that the intervention is prohibited and to do so would violate the professional's own values.



# Conscientious Provision of Care

- What information is absolutely necessary for care? How do you document it?
- Providing care: In conflict with your own institution
- Providing care: In conflict with the law

Ethics from our organizations—  
ALL support  
comprehensive  
(& confidential)  
reproductive  
health care



# “My Body, Whose Choice?” A Call to Advance Reproductive Justice in Pediatric Training

Tasia Isbell, MD, MPH,<sup>a,b,c,d</sup> Ryan Brewster, MD,<sup>a,b,c,d</sup> Taylor Soderborg, MD, PhD,<sup>a,b,c,d</sup> Karina Javalkar, MD<sup>a,b,c,d</sup>

Pediatrics, July 2022

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# Reproductive Justice



“The human right to maintain personal bodily autonomy, not to have children or have children and parent in safe and sustainable communities.”



“We sound a national call to action for pediatric residency programs to formalize training in reproductive health and justice...The time could not be more opportune for pediatric trainees to develop the skills, knowledge, and resources to confidently serve as leaders in reproductive health.”



# So you are mad, what next?

---

ADVOCACY!

Speaking with those whose voice is not heard.

Partnerships and alliances are essential.

You don't need to the change world.

# ADVOCACY TRAINING

- Core theme of residency education.
- Utilize the tools of a formalized advocacy curriculum & CPTI training to advance the skills of both residents and faculty.

**\*\* Lean on your advocacy faculty for  
faculty development\*\***



# The building blocks of advocacy

---

Advocacy is done with rigor and scholarship

to

Make system changes & impact

to

Improve the lives of children



# Community Pediatrics Training Initiative Project Planning Tool: A Practical Approach to Community Based Advocacy





# ADVOCACY TRAINING— Communicating the Message

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- Elevator Pitch
- Writing: op-ed and opinion pieces
- Social Media
- Legislative Advocacy

# Advocacy Training: Within your institution

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Advocate for equal access to reproductive care for trainees.

---

Draw support from the institution and legal representatives on what type of language to use when interacting with patients.

---

Utilize your government relations representative to assist with communication with legislators in your state.

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**Be mindful of the political climate of your state and your institution.**

---

**Counsel residents/trainees about the limitations of advocacy when your personal or professional training may be in jeopardy.**

---

Your legislators are under tremendous political pressure. Become an ally for evidence-based medicine.



## Advocacy in times of controversy

- Know the history, what's at play and what is possible
- Know the law and know the risks
- Engage with partners, don't be a lone voice

- March 2023: successfully drafted a petition to amend the state constitution to protect reproductive rights

- November 2023: Ohio will vote!

# AN OHIO STORY of ADVOCACY

[illegible]

## A Message to our Patients on the Loss of Reproductive Rights

[illegible][illegible]

As physicians of many specialties, we are calling on Ohio Governor Mike DeWine, as well as all elected and appointed government officials in the state of Ohio, to protect the lives of women and persons capable of becoming pregnant. We call on other physicians to uphold their duty to their patients and on our patients to organize for their personal bodily autonomy.

We demand that Ohio House Bill 288/Senate Bill 23 be repealed. We ask our elected officials to defend the separation of church and state, to ensure reproductive autonomy, and to respect our basic rights in life, liberty, and the pursuit of happiness.

One Thousand Ohio Physicians

[illegible]

# A CALL TO ACTION!

- 
- Comprehensive reproductive health education for all general pediatric trainees.
  - Education surrounding ethical and legal implications of health care.
  - Community Pediatrics and Advocacy
  - Mentorship & support



REPRODUCTIVE HEALTH CARE IS  
HEALTH CARE.

And we as pediatricians  
must be ready.





Learning from each other: 10 minutes

Consider best practices to address the various challenges presented by the Dobbs ruling:

- Recruitment & retention
- Curricula & rotation needs
- Advocacy & ethics



## NEXT STEPS

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*“The way forward is with collaboration & community. There is room in this work for everyone.”*

—Beasley, A. Acad Med, 2022

# Questions/Comments?








Academic Pediatrics

Available online 1 September 2023

In Press, Journal Pre-proof ? What's this? ➤



## Transforming Pediatric Education in Response to Dobbs v. Jackson: Empowering Adolescents to Manage Their Reproductive Choices

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Kristin G. Crichton DO MPH<sup>d‡</sup> 

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- [Kristin.Crichton@nationwidechildrens.org](mailto:Kristin.Crichton@nationwidechildrens.org)

# Legal Resources Post-Dobbs

Dobbs v. Jackson Women's Health Org., \_\_U.S.\_\_, 142 S.Ct. 2228 (2022).  
[https://www.supremecourt.gov/opinions/21pdf/19-1392\\_6j37.pdf](https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf)

Center for Reproductive Rights. After Roe Fell: Abortion Laws by State.  
<https://reproductiverights.org/maps/abortion-laws-by-state/>.

Guttmacher Institute. Interactive Map: US Abortion Policies and Access After Roe. March 2023.  
<https://states.guttmacher.org/policies/>.

Reingold RB, Gostin LO. Roe v. Wade's 50<sup>th</sup> anniversary: new legal frontiers for safeguarding reproductive freedoms. JAMA 2023;329:877-78. [doi:10.1001/jama.2023.1004](https://doi.org/10.1001/jama.2023.1004)

# Resources

