



Written by [Raven Clabough](#) on December 1, 2016

New Texas Rules: Aborted Babies Must Now Be Buried or Cremated

The Texas Department of State Health Services finalized rules this week that will require healthcare facilities to treat the remains of aborted babies with dignity by requiring that they be buried or cremated and not disposed of in landfills. Pro-life advocates contend that the rules are a step in the right direction in changing how people view abortion, by reminding citizens that an abortion results in the termination of a human life.



“Human life is not a commodity or an inconvenience,” Governor Greg Abbott told the *Texas Tribune*, adding, “I believe it is imperative to establish higher standards that reflect our respect for the sanctity of life. This is why Texas will require clinics and hospitals to bury or cremate human and fetal remains.”

“I don’t believe human and fetal remains should be treated like medical waste and disposed of in landfills,” Abbott added.

Under the new rules, which go into effect on December 19, remains of aborted babies will be treated in the same way as those of any other dead human and, as such, will require hospitals, abortion clinics, and other healthcare facilities to either bury or cremate the remains of each baby. The exceptions to the law include miscarriage and abortions that take place in the privacy of one’s home such as by means of an abortion pill.

The *New York Times* reports that the rules were proposed in July at the direction of Governor Abbott after the Supreme Court struck down parts of a Texas law that would have required doctors to have admitting privileges at nearby hospitals, and have clinics meet the standards of ambulatory surgical centers, stating it violated *Planned Parenthood v. Casey’s* prohibition on placing an “undue burden” on the ability to obtain an abortion.

Critics argue that the new rules will force more women to pursue underground abortions so that the law does not apply to them, thereby making the procedure more unsafe for women.

Nancy Northup, president of the Center for Reproductive Rights, claimed the new rules are intended to “only increase barriers to reproductive care while deliberately shaming and stigmatizing Texas women.”

Other opponents cite the additional cost for burial or cremation as an unfair financial burden that could be passed on to the patients, a claim refuted by the Texas Department of State Health Services (DSHS).

Texas DSHS spokeswoman Carrie Williams told the *Dallas Morning News*:

What we found through our research is that the proposed rules won’t increase total costs for healthcare facilities. While the methods described in the new rules may have a cost, that cost is expected to be offset by costs currently being spent by facilities on disposition for transportation, storage, incineration, steam disinfection and/or landfill disposal.



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The Texas Department of Health and Human Services held two public comment hearings on the proposal for the new rules and reviewed over 30,000 comments before the rules were finalized.

“We made certain changes to the rules along the way, including adding language to make clear that these rules don’t apply to miscarriages or abortions that occur at home, and adding language to clarify that birth or death certificate issuance is not required for proper disposition under the rules,” Williams said.

Proponents of the bill tout its effect in reminding people that abortion results in the termination of a human life, not just a group of cells, as many pro-abortion advocates claim.

“The new law honors the humanity of each child and gives the baby the dignity he or she deserves,” Students for Life of America President Kristan Hawkins told LifeSiteNews. “It’s no surprise the abortion industry is adamantly opposed to this law. They would rather sell those body parts for money or find some other non-humanitarian way to dispose of the remains. We hope that this law helps our nation to see the humanity of the child in the womb and also helps women who are contemplating abortion to understand more fully the unique gift of a child.”

Though the rules fall under the state health department’s rulemaking authority, Republican lawmakers in Texas have indicated that they will write the rules into law when the legislature reconvenes in January, according to the *Texas Tribune*.



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