

TENNESSEE MEDICAL ASSOCIATION HOUSE OF DELEGATES

May 17, 2025

Resolution No. 13-25

INTRODUCED BY: AMY GORDON BONO, MD, MPH
DELEGATE, NASHVILLE ACADEMY OF MEDICINE
CHRISTOPHER MONTVILLE, MD, FACOG
DELEGATE, WILLIAMSON COUNTY MEDICAL SOCIETY
NICOLE SCHLECHTER, MD, PhD
EX-OFFICIO DELEGATE

SUBJECT: FETAL PERSONHOOD CAN COMPROMISE PATIENT HEALTHCARE ACCESS AND
PHYSICIAN DECISIONS

1	Whereas,	Fetal personhood proposes that a fetus, embryo, or a fertilized egg should be
2		considered a person with the same rights and legal protections as a born
3		individual; ⁱ and
4		
5	Whereas,	Attempts to establish fetal and embryonic personhood continue to be
6		discussed in legislative contexts; and
7		
8	Whereas,	Establishing fetal and embryonic personhood can impact access to
9		contraception and assisted reproductive technologies, such as in vitro
10		fertilization (IVF) ⁱⁱ ; and
11		
12	Whereas,	Fetal personhood changes the legal rights and status of pregnant people ⁱⁱⁱ ;
13		and
14		
15	Whereas,	The American College of Obstetricians and Gynecologists (ACOG) opposes any
16		proposals, laws, or policies that attempt to confer "personhood" to a fertilized
17		egg, embryo, or fetus. These laws and policies are used to limit, restrict, or
18		outright prohibit access to care for women and people seeking reproductive
19		health care, including those who are pregnant, those who are trying to
20		prevent pregnancy, and those who are trying to become pregnant, and they
21		have been used as the basis of surveillance and prosecution of pregnant
22		people ^{iv} ; and
23		
24	Whereas,	Granting fetal and embryonic personhood rights would also lead to the
25		criminalization of pregnancy outcomes ^v and put a physician at risk of
26		participating in a crime; Now, therefore be it
27		
28	<u>RESOLVED,</u>	That the Tennessee Medical Association recognizes that attempts to confer
29		personhood to a fertilized egg, embryo, or fetus can put physicians at risk of

punishment for practicing evidence-based, comprehensive medicine; and, be it further

RESOLVED, That the Tennessee Medical Association recognizes that attempts to confer personhood to a fertilized egg, embryo, or fetus can endanger the pregnant patient by limiting access to evidence-based, comprehensive medical care, including having access to the full spectrum of IVF care.

Sunset: 2032

Fiscal Note: *To Be Determined*

ⁱ American College of Obstetrics & Gynecology Issue Brief on “Personhood”

<https://www.acog.org/advocacy/abortion-is-essential/trending-issues/issue-brief-personhood-measures#:~:text=Conferring%20personhood%20upon%20a%20zygote,affecting%20an%20embryo%20or%20fetus>

ⁱⁱ <https://www.guttmacher.org/2024/05/first-quarter-2024-state-policy-trends#:~:text=Compounding%20the%20explicit%20attacks%20on,Death%20of%20a%20Minor%20law.>

ⁱⁱⁱ <https://www.pregnancyjusticeus.org/resources/when-fetuses-gain-personhood-understanding-the-impact-on-ivf-contraception-medical-treatment-criminal-law-child-support-and-beyond/>

^{iv} American College of Obstetrics & Gynecology Statement on “Personhood” Measures, Nov 9, 2022

<https://www.acog.org/clinical-information/policy-and-position-statements/position-statements/2022/acog-statement-on-personhood-measures>

^v <https://www.pregnancyjusticeus.org/resources/when-fetuses-gain-personhood-understanding-the-impact-on-ivf-contraception-medical-treatment-criminal-law-child-support-and-beyond/>