

October 31, 2005

An Open Letter

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Dear Dr. Ouellette:

It has come to our attention that the Committee on Adolescence of the American Academy of Pediatrics is disseminating erroneous data designed to influence the outcome of the public debate on parental involvement laws. In particular, this misinformation is currently being used to oppose a parental notification measure on the ballot in California.

We refer specifically to the statement of the Committee on Adolescence entitled “The Adolescent’s Right to Confidential Care When Considering Abortion” originally published at *Pediatrics* 1996;97;746-751. This statement is currently available at both www.pediatrics.org and www.aap.org. The former site indicates that the information in the statement is “current as of [whatever date it is downloaded].”

Unfortunately, the statement contains erroneous statistics, distortions of data, and outdated information. We will confine our discussion here to the misuse of just one study. On the second page of the statement, at page 747, under the heading “Voluntary Parental Involvement,” the statement says, “A survey of 1519 unmarried pregnant minors in states where parental involvement is not mandatory found that 61% told one or both parents about their intent to have abortions. The younger the minor, the more likely she was to do so (90% of those 14 years-old or younger, 74% of those 16 years-old).” The statement cites Henshaw and Kost, Parental involvement in minors’ abortion decisions. *Family Planning Perspectives* 1992; 24:196-207, 213.

The Henshaw and Kost study reported no such findings. The statistics in the AAP statement are for the number of minors who reported that a parent knew about the abortion, not that they had told them. The percentage of minors who reported telling a parent was only 45%, with 55% of those 14 and under so reporting and only 43% of those 16 years old so reporting. (Table 3)

Two years ago, at a trial concerning Alaska’s parental consent law, Dr. Henshaw was shown the AAP’s statement concerning the number of minors who told a parent about their intent to obtain an abortion. He agreed that the AAP’s statement was “entirely incorrect.”

The AAP statement goes on to say, “Among minors who did not involve a parent, virtually all involved at least one responsible adult other than clinic staff (such as another relative, teacher, counselor, professional, or clergy).” In fact, the study shows that among those who did not involve a parent, only 52% involved another adult. Of those under age 16, it was only 47%. As to the particular category of other “responsible adult,” only 22% reported that they had consulted a teacher, counselor, or other professional. By far the most likely “other” consulted was the minor’s boyfriend (89%). (Table 8)

Once again citing Henshaw and Kost, the AAP statement says, “The most frequent reasons minors cite for not telling parents include the belief that the knowledge would damage their relationship, the fear that it would escalate conflict or coercion, and the desire to protect a vulnerable parent from stress and disappointment.” In fact, the most frequent reasons given were “Didn’t want to hurt or disappoint parent;” “Thought parent would be angry with me;” and “Didn’t want parent to know I was having sex.” (Table 5.) Contrary to the picture painted in the AAP’s statement, which implies these minors were all dealing with dysfunctional or precarious family relationships, these reasons are what one would expect the fears would be of normal adolescents in normal homes.

In a final citation to the Henshaw and Kost study, the AAP statement claims, “One third of minors who do not inform parents already have experienced family violence and fear it will recur.” This data appears nowhere in the study. The study did not ask about prior experience of family violence. Only 6% cited a fear of violence, and only 1% reported violence directed against them as a parental reaction. (Table 7.) While these cases are regrettable, they are also exactly why parental involvement laws contain a judicial bypass provision, which was not available to the minors in this survey, i.e., to deal with the *exceptional* cases of family dysfunction.

Although not related to the Henshaw and Kost study, one other claim in the AAP statement deserves mention, as it also has been frequently quoted. The AAP statement says, “The current data also indicate that [parental involvement] legislation does not increase the likelihood that parents will be involved. The percentages of minors who inform parents about their intent to have abortions are essentially the same in states with and without notification laws.” The citation is to a single 1984 study of minors in Minnesota and Wisconsin. Blum, Renick, and Stark, The impact of parental notification law on adolescent abortion decision-making. *Am. J. Public Health* 1987;77;619-620. To come up with the figure of what percentage informed their parents in non-parental involvement law states, the researchers asked minors in Wisconsin to fill out questionnaires. Only 62% of the minors did so. It is hardly far-fetched to think that this sampling might be skewed toward those whose had told their parents, as those who had not would not be inclined to voluntarily answer such questions. Even so, the researchers culled the results down to a “usable sample” of only 37 minors.

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Meanwhile, for those in the parental involvement state, Wisconsin, out of a “usable sample” of 148 respondents, 43% reported using the judicial bypass. This figure is completely out of keeping with the statistics from states that keep track of utilization of the bypass procedure. The actual percentages are usually between 2% and the low teens.

In sum, the “current data” upon which the AAP statement bases its claim that parental involvement laws do not increase the number of minors who tell their parents is a 21-year-old sampling of 185 unrepresentative minors.

The above discussion does not exhaust our criticisms of the inaccuracies of the AAP statement. We have focused on these particular claims because they are the ones most frequently echoed by those opposed to parental involvement laws, invoking the authority of the AAP to back them up.

In light of the indisputable inaccuracy and bias of the AAP statement on adolescents’ right to confidential care when considering abortion, we call on you to withdraw immediately the statement for correction and further study and to acknowledge publicly that it contains erroneous information and should not be relied upon.

Very truly yours, /s/

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