

EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Paul A. Isaacson, M.D., on behalf of himself and
his patients, et al.,

Plaintiffs,

v.

Mark Brnovich, Attorney General of Arizona, in
his official capacity; et al.

Defendants.

Case No.

DECLARATION OF DR. MIRIAM ANAND IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

1. The Arizona Medical Association (“ArMA”) is one of the plaintiffs in this action. I am the current President of ArMA. In that role, I am the chief elected officer, Chair of the Board, and exercise general supervision of the membership and affairs of the organization. Through my responsibilities at ArMA and my interactions with its board leadership, staff, and members, I am personally familiar with its purposes, constituents, and activities. I submit this declaration on behalf of ArMA.

2. ArMA is a membership organization with nearly 4000 members. The majority of members in ArMA are physicians; our membership also consists of physicians in training and medical students.

3. ArMA promotes the art and science of medicine “on behalf of member physicians”. ArMA’s mission statement specifically includes advocacy for “the freedom to deliver care in the best interests of patients” and for the “health of all Arizonans.”

4. ArMA's advocacy efforts include representing its members and the medical profession before the legislative, executive, and judicial branches of government. In doing so, its goals include promoting optimal health and medical services for Arizonans; promoting the standards for medical ethics; and aiding members in their professional pursuits.

5. During the most recent Arizona legislative session, ArMA actively opposed passage of SB 1457 and urged legislators to vote against it. ArMA also urged Governor Ducey to veto it after it passed through the legislature. In ArMA's strong opposition to SB 1457 and our request for a veto, we were joined by a number of other physician groups in the state, including the Arizona Section of the American College of Obstetricians and Gynecologists, the Arizona Academy of Family Physicians, the Arizona Chapter of the American Academy of Pediatrics, and the Arizona Osteopathic Medical Association.

6. In opposing SB 1457, ArMA emphasized that the bill would cause significant harms to the physician-patient relationship, to medical care, and to physicians' legitimate medical practice in Arizona. ArMA made clear that government should not be defining appropriate medical care and jeopardizing patients' interests in the process. We urged the legislature and the governor not to "criminalize[] the termination of pregnancy based upon a genetic abnormality."

7. As ArMA also explained, the "physician-patient relationship is founded on trusted, open and honest communication, which best serves the health and safety of the patient." But "SB 1457 undermines the foundation of the physician-patient relationship by threatening criminal consequences" for physicians. ArMA urged the legislature and the governor to reject SB 1457 "as an unacceptable, unwise, and dangerous intrusion into" physician-patient interactions and medical care.

8. In our advocacy against SB 1457, ArMA also highlighted that SB 1457 is extremely broad and vague, and seems to impact many aspects of reproductive health care.

9. ArMA collects basic demographic information about its membership and asks each member to provide their medical credentials, medical practice type, medical specialty, and geographic location.

10. ArMA's thousands of members provide medical care for Arizonans in all areas of the state, including rural areas. ArMA members' work spans the full gamut of medicine, medical research, and medical education.

11. ArMA-member physicians serve their communities as primary care physicians and as practitioners in all major medical specialties, including members who are obstetricians and gynecologists (OB/GYNs), maternal-fetal medicine specialists (MFMs, who are also known as perinatologists or colloquially as high-risk OB/GYNs), and reproductive endocrinologists. At least 75 OB/GYNs are ArMA members today.

12. Some of ArMA's members provide abortion care to Arizona patients, including pre-viability abortion care that SB 1457 would ban. For example, Plaintiffs Dr. Paul Isaacson and Dr. Eric Reuss are ArMA members and will, I understand, be submitting their own declarations that describe their practices in detail. Those physicians and other ArMA members like them include pregnancy counseling and abortion care, among much other reproductive health care, in their practices.

13. Many ArMA members, including obstetricians, MFMs, and others who care for pregnant patients, include information and counseling about genetic testing and fetal anomalies in their practice. As I understand from our members, offering genetic testing as a possibility for pregnant patients; conducting a detailed ultrasound exam; and discussing possible anomalies are

routine components of prenatal care. SB 1457, however, would invade those types of physician-patient communications, limit patient counseling, and restrict consultation among physicians treating a particular patient. Dr. Katherine Glaser, for example, is an ArMA member who routinely provides prenatal care and discusses these issues with her patients and other physicians. I understand that she will also submit a declaration.

14. ArMA members also treat pregnant patients for serious medical conditions (such as cancer and heart disease) and for pregnancy complications—including treatment with drugs or other interventions that may have risks and side effects for an embryo or fetus. In SB 1457’s Section 1, however, this new law appears to create the possibility of legal liability for physicians’ provision of such medical care. SB 1457 leaves ArMA and its member physicians highly uncertain of how Section 1’s sweeping reinterpretation of Arizona law affects medical practice.

15. In sum, SB 1457 establishes new felonies that criminalize health care. It requires physician reporting of private patient information to law enforcement authorities. It punishes communication between patients and their doctors, and among medical professionals. It leaves physicians unclear about the legal standards that govern their provision of important care, including for pregnant patients with serious maternal conditions. Contrary to legislators’ assertions, SB 1457 interferes with “the integrity and ethics of the medical profession” and does not advance the medical profession and provision of health care in our state.

16. ArMA appears here on behalf of its members and their patients to contest and prevent these extremely harmful intrusions into health care. For all the reasons that Plaintiffs’ attorneys argue in moving for a preliminary injunction, SB 1457 should not be allowed to take effect and should be struck down as an unconstitutional invasion of physicians’ and their patients’ rights.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
August 13, 2021.

A handwritten signature in black ink that reads "Miriam Anand". The signature is written in a cursive, flowing style.

Miriam Anand, MD