

This study examines the effect of what are commonly known as "parental involvement laws" on the timing of teenagers' abortions. These laws are among the most common restrictions that states impose on abortion. The laws typically require a parent to be notified of, or consent to, the decision of a minor teenager to have an abortion, but permit the minor to bypass these provisions under certain circumstances.

Because abortions at later gestational ages tend to be more risky, costly, and difficult to obtain, the study focuses on the laws' effect on fetal gestational age at the time of the procedure, using individual-level data on induced abortions. These data were reported to the National Center for Health Statistics by 14 states in selected years between 1980 and 1992. The study examines these data using a regression discontinuity research design. Such designs, when properly implemented, may produce unbiased estimates that reflect causal relationships. The regression discontinuity models in this study analyze whether the effect of the "treatment" of a parental involvement law is associated with a statistically significant discontinuity – and thus, a significant delay - between the predicted gestation of abortions received by minors and those of their adult counterparts.

Data limitations restrict states eligible for analysis to Kansas, Rhode Island, Maine, and Utah. In Rhode Island and Kansas, two states implementing parental involvement laws during the time period studied, preliminary results from regression discontinuity models show the laws were associated with statistically significant delays in abortions obtained by minors. After controlling for other factors that could delay abortion timing, the study finds that the implementation of parental involvement laws was associated with average gestational delays of about 3.5 days in Rhode Island and about five days in Kansas among all minors obtaining abortions. However, because many teens in the population studied would have discussed the procedure with their parents regardless of the law's presence, only a subset of minors was directly affected by the law. For this smaller sample, the delays associated with the law would have been greater, perhaps closer to seven to nine days in Kansas and about six days in Rhode Island. Because teenagers on average have abortions at later gestational ages than adults, such delays could cause minor teens to face more difficult and costly abortion procedures, while adding to the mental and emotional stress of an unwanted pregnancy.

Several specification tests of the validity of the Kansas and Rhode Island results generally support the findings that laws in those states were associated with statistically significant delays in minors' abortions. Moreover, a viable alternative explanation for the delays appears unlikely. If an alternative causal factor were in play, that factor would have had to create the discontinuity in abortion gestation exactly at the age 18 cutoff in both Kansas and Rhode Island - and in the post-law period only - while not affecting gestation at the cutoff in the pre-law period. The likelihood of such a simultaneous causal factor is low. This lack of an alternative explanation demonstrates the strength of the internal validity of the regression discontinuity design.

The external validity of regression discontinuity models, reflected in the appropriateness of extending the findings to other populations, is not as powerful. For example, specification tests of data from Colorado and Montana show some evidence of delayed abortions among minors when compared to adults even in the absence of a parental involvement law. These preliminary results could indicate the presence of unmeasured confounding factors in those states. However, an analysis of data from Oregon and Vermont demonstrates that in at least two states without parental involvement laws, there were no statistically significant differences between the gestational age of abortions obtained by minors and those obtained by adults, after controlling for other relevant factors.

Results from Maine and Utah, showing no gestational differences despite the presence of parental involvement laws, initially appear to be problematic. However, given the unique provisions of the Maine and Utah laws during the time period examined, the results are reasonable. For example, the Maine law required notification of at least one parent before a minor could proceed with an abortion. However, parental notification was not required if the minor received certain specified “information and counseling” by a physician or counselor regarding the decision to have an abortion or carry a pregnancy to term. The Maine law also included a provision for bypassing the law via a court procedure. But the law’s exception for receiving counseling in lieu of applying for a judicial bypass was likely the quicker and easier alternative for minors who did not want to involve a parent. With the counseling alternative, it is not surprising that the presence of Maine’s parental involvement law was not associated with significant delays in minors’ abortions in that state.

In contrast, Utah’s law required both parents of a minor to be notified of her decision to have an abortion but failed to provide any provision, judicial or otherwise, for bypassing its requirements. Although bypassing a parental involvement law may create significant delays for some minors, in the absence of provisions for bypassing the law, such delays would likely not occur. Thus, the lack of significant delays in minors’ abortions in Utah is not unexpected, given the strict nature of Utah’s law at the time.

Both the Maine and Utah results demonstrate the need for further examination of the specific provisions of parental involvement laws to determine their impact on abortion timing. Some laws may be drafted in ways that create few delays for minors seeking abortions, while provisions in other laws may create almost insurmountable delays. Regardless, findings from the laws analyzed in this study indicate that parental involvement laws have the potential to significantly delay abortions for some teenagers.