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MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

PLANNED PARENTHOOD OF MONTANA, and JOEY BANKS, M.D., on behalf of themselves and their patients,) Cause No. DV-21-999
Plaintiffs,) Hon. Gregory R. Todd
VS.)
STATE OF MONTANA, by and through AUSTIN KNUDSEN, in his official capacity as Attorney) REPLY AFFIDAVIT OF) JOEY BANKS)
General, Defendant.)))

STATE OF OKLAHOMA	_)
	:ss
County of Tulsa)

I, Joey Banks, being first duly sworn upon her oath, state as follows:

- 1. I previously submitted an affidavit in support of Plaintiffs' motion for a preliminary injunction in this case. All of the information in that document remains true and correct. I submit this supplemental affidavit in support of Plaintiffs' reply in support of their motion for a preliminary injunction, and specifically to respond to certain inaccurate and unfounded allegations about the abortion care provided by PPMT. The State and its experts have made a number of misrepresentations; the fact that I do not respond to a particular statement in its brief or supporting declarations does not mean that I agree with it.
- 2. We at PPMT take very seriously our responsibility as health care providers to make sure that every patient's decision to have an abortion is informed and voluntary. PPMT uses a comprehensive informed consent process for both medication and procedural abortion. PPMT provides every patient seeking an abortion with information about the risks, benefits, and alternatives to abortion; gives the patient an opportunity to have any questions answered; and confirms through a multi-step process that the patient is making a voluntary decision to have the abortion, if that is what she chooses.
- 3. Most patients are sure in their decision by the time they reach PPMT. If a patient seems uncertain, we encourage them to take more time with their decision and not to proceed with the abortion that day, and we offer support for whatever they decide, including prenatal medical education, referrals to OBGYNs, and adoption information for patients who decide to continue their pregnancy.

4. Drs. Skop and Mulcaire-Jones suggest that providing medication abortion via telehealth is inappropriate for rural patients because they would be "abandoned" if they experience complications. Skop Decl. ¶ 57; Mulcaire-Jones Decl. ¶ 88. PPMT does not "abandon" patients, whether we provide their care via telehealth or in-person. All abortion patients are given a phone number, staffed 24/7 by a medical professional, and are told to call that number with any concerns. In the limited circumstances in which complications arise, PPMT generally treats patients in-clinic and refers the few patients who experience emergency situations to the closest emergency department (as the safest course). Because medication abortion complications are similar to those of a miscarriage, which emergency departments see frequently, emergency physicians are well-equipped to handle them.

Dated: 9/16/2-1

Joey Banks, M.D.

Subscribed and sworn to before me this 16 day of September, 2021.

(NOTARIAL SEAL)

Printed Name: Margaret L. Cook

MARGARET L COOK
Notary Public, State of Oklahoma
Commission # 21000156
Ay Commission Expires 01-05-2025

I declare under penalty of perjury that the foregoing is true and correct.