

ACCESS TO VOLUNTARY TERMINATION OF PREGNANCY IN THE NATIONAL HEALTH SERVICE

Executive Summary

The issue of voluntary termination of pregnancy (IVG) has been monitored by the Portuguese Health Regulation Authority (ERS) over the years. Specifically, between 2015 and 2023, the ERS opened nine investigation processes directly related to access constraints to voluntary termination of pregnancy, eight of which have already been decided with the issuing of instructions and recommendations to the healthcare providers concerned.

In February 2023, following media reports of possible constraints on users' access to referrals and IVG procedures in official establishments of the National Health Service (SNS), the ERS Board of Directors ordered the opening of an evaluation process to preliminarily analyse the reported situations. Given the information gathered as part of the investigation, and to continue to monitor and evaluate access to the IVG procedure in detail, a monitoring process was opened on March 10, 2023, this study being part of it.

Therefore, the analyses carried out as part of this study aim, on the one hand, to assess the supply of this type of healthcare, namely by surveying the official and officially recognized for carrying out IVG institutions, and the human resources available to carry out this procedure, and, on the other hand, to ascertain the possible existence of obstacles to access to IVG, namely through a cross-sectional analysis of the procedures implemented in public establishments. It is also aimed to analyse the evolution of the number of IVG performed, as well as the compliance with the legally established deadlines.

From the analysis of the information submitted by healthcare providers, by the Directorate-General for Health (DGS) and by the Portuguese Medical Association (Ordem dos Médicos) in response to the ERS requests for information and cooperation issued in March 2023, it was possible to conclude that, at the end of February 2023, there were 31 establishments in the hospital sector carrying out IVG in mainland Portugal

- 29 official and two officially recognized – most of which located in the North and Lisbon and Tagus Valley (LVT) health regions.

An analysis of the procedures in force revealed three situations in which IVG was not allowed to patients not living in the hospital's catchment area or to patients not registered at the health centres in the hospital's referral area, and two situations in which patients were obliged to start their process through Primary Health Care (CSP).

At the same time, none of the 55 existing Health Centre Groups (ACES) carried out the IVG procedure, and five carried out prior consultations, and it was found that these are not always duly recorded. In addition, these providers were unaware of what a prior IVG consultation is, and the clarifications to be given to users during it. Specifically, although some primary health care providers reported to the ERS that they were carrying out prior consultations, an analysis of the documents submitted revealed that those were General and Family Medicine consultations that did not comply with the requirements of Ministerial Order n.º 741-A/2007, of June 21.

In total, in 2022, 15.616 terminations of pregnancy were carried out at the woman's option in the first 10 weeks of pregnancy, which corresponds to an increase of 15% compared to 2021, with the majority of IVG having been carried out in SNS establishments located in the Lisbon and Tagus Valley health region. Although in many cases it was not possible to identify the reason for the difference between the number of prior consultations and IVG carried out, 1.366 situations were found in which the procedure was not carried out because the legally established deadline had been exceeded.

Regarding compliance with legal deadlines, it was possible to ascertain that, for all IVG carried out in 2022, the average waiting time for prior consultation was less than the legally established time (five days). However, in 2022, the Centre Health region recorded an average waiting time between the request for an appointment and the prior consultation of more than five days, while the average time in the Algarve Health region was close to the legally established time.

In addition, situations were identified in which the time gap between the prior consultation and the termination of pregnancy was equal to or less than three days, which is an indication of non-compliance with the legally established reflection period - three days - with most of the situations occurring in the Lisbon and Tagus Valley health region.

Moreover, from the replies sent in by both the providers and the Portuguese Medical Association, it can be concluded that there is no complete and up-to-date register of all

health professionals who are conscientious objectors, both in hospital care and in primary care.

In what concerns the complaints received by the ERS regarding Gynaecology and/or Obstetrics, it was found that the Algarve health region had the worst relative performance in 2022 and the Centre region in 2023. As of July 26, 2023, there were 11 complaints classified under the category "Restriction to Voluntary Interruption of Pregnancy (IVG)", three with an occurrence date of 2022 and 8 relating to the year 2023, the majority of which targeting healthcare establishments located in the Lisbon and Tagus Valley health region.