

Post-Roe? What's next in Abortion Care

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Goals today

Set the stage

Raise questions

Discuss

Inspire

Reality Check

Disparities in geographic access to abortion already exist, even with *Roe* intact

- TRAP laws
 - Requiring admitting privileges, ambulatory surgery center requirements
- Abortion-specific requirements
 - Mandatory waiting periods (24-72 hrs), biased counseling, parental involvement
- Hyde Amendment (1977)
 - Bars the use of federal funds to pay for an abortion
 - States can then regulate if MA will pay for abortion

Casey v Planned Parenthood of Southern PA (1992)

- Upheld the general principle of *Roe*, BUT
- Created the “undue burden” standard
 - Upheld 24-hr delay for consent and biased counseling
 - Struck down the requirement that a husband of a married woman be notified before she may obtain an abortion

Dobbs v. Jackson Women's Health

- HB 1501 (Gestational Age Act) enacted a ban on abortion in MS after 15 wks of pregnancy that directly challenges *Roe* (based on the viability standard)
 - Exceptions (medical emergencies, severe fetal anomalies)
 - No exception for rape or incest
 - Initially struck down by the State Supreme Court and the 5th Circuit Court of Appeals as unconstitutional
 - SCOTUS then decided to take the case on appeal
- Marks the first time that SCOTUS will rule on the constitutionality of a pre-viability abortion ban since *Roe*

(FYI: 16 states already ban abortions at 22 weeks - they just weren't challenged!)

Realities across the states

Trigger bans (12)

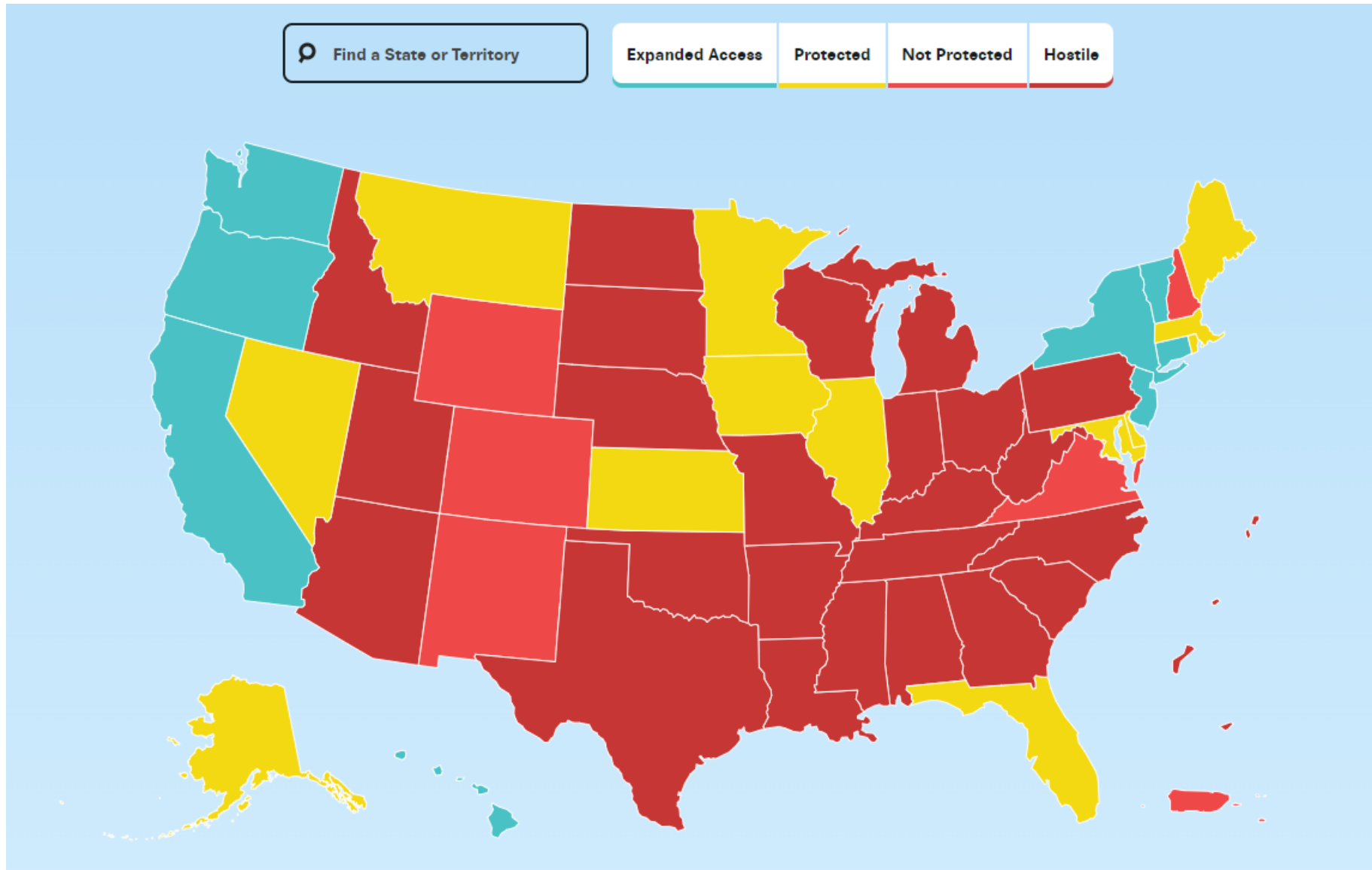
- Abortion bans passed since Roe that are designed to become effective if the Supreme Court limits or overturns Roe
- AR, ID, KY, LA, MS, MO, OK, ND, SD, TN, TX, UT

Pre-Roe bans (6)

- Bans that exist on the books, but aren't enforceable, *unless they get revived if Roe were overturned*
- AL, AZ, AR, MI, NC, WV, WI

New bans (5)

- New bans that could be enacted by state legislatures
- GA, IN, OH, NE, SC, (possibly IA)



What about MN?

We're an "island of access" right??

Doe v Gomez (1995) – the State Supreme Court ruled that the MN Constitution protects the right to have an abortion (and upheld that state health insurance should pay for it)

However, we've gotten used to a lot of BS!

- Women's Right to Know Act (2003)
 - Mandated medically inaccurate information be given to patients
 - Enacted a 24-hour waiting period
 - Mandated unnecessary scripted language about the "man's responsibility to pay child support"
- Dual parental notification
- Physician-only laws
- Mandated fetal tissue cremation/burial
- Excessive mandated reporting of patient information to the state

Abortion Providers in MN





Break Out

What can YOU do to help expand access to abortion?

- What feels hard?
- What feels easy?

What questions do you have about next steps?

- Questions about training?
- Questions about integration into practice?

What's Next??

Supporting self-sourced abortions

- Miscarriage and Abortion (M+A) Hotline: <https://www.mahotline.org/>

Expanding medication abortion via primary care and virtual care

- Access, Delivered Toolkit for Med Ab (UW): <https://familymedicine.uw.edu/accessdelivered/>
- Toolkit for integrating Med Ab into Primary Care: <https://www.reproductiveaccess.org/resource/toolkit-medication-abortion/>

Financially supporting abortion funds organizations

- These are the people that help patients find care they need
- Locally – Our Justice, <https://www.ourjustice.net/>

TALK TO YOUR LEGISLATORS!!!

Pro-Choice Minnesota *presents:*

UNRESTRICT MINNESOTA

REPRODUCTIVE FREEDOM LOBBY DAY

VIRTUAL

Friday, March 25th, 2022

#UnRestrictMN



REGISTER TODAY ▶ [UNRESTRICTMN.ORG/LOBBYDAY](https://unrestrictmn.org/lobbyday)

Reproductive Freedom Lobby Day, 3/25!

Also – Join the RHAP Network Minnesota Cluster!!

Resources (not an exhaustive list)

TRAINING

- Abortion Training Roadmap: <https://www.abortiontrainingroadmap.com/>
- Reproductive Health Access Project (RHAP): <https://www.reproductiveaccess.org/>
 - Minnesota Cluster: <https://network.reproductiveaccess.org/clusters/minnesota/>
- Reproductive Health Education in FM (RHEDI): <https://rhedi.org/>
- Early Abortion Training Curriculum (TEACH): <https://www.teachtraining.org/training-tools/early-abortion-training-workbook/>
- Access, Delivered Toolkit for Med Ab (UW): <https://familymedicine.uw.edu/accessdelivered/>
- Innovating Education in Reproductive Health: <https://www.innovating-education.org/>

POLICY/RESEARCH/RJ

- Center for Reproductive Rights: <https://reproductiverights.org/>
- Guttmacher Institute: <https://www.guttmacher.org/united-states/abortion>
- SisterSong: <https://www.sistersong.net/>
- Unite for Reproductive & Gender Equity (URGE): <https://urge.org/>
- UnRestrict Minnesota: <https://unrestrictmn.org/>