

News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



*Planned Parenthood's Louisville health clinic in Kentucky. The embryo of a woman seeking to have an abortion "no longer had cardiac activity" as of Monday, lawyers said.
(Deborah Yetter/Kentucky Lantern)*

Lawyers for the Kentucky woman suing for permission to have an abortion said her embryo does not have cardiac activity.

A spokesperson for the commonwealth's American Civil Liberties Union declined to say whether the plaintiff identified as Jane Doe will be able to get an abortion elsewhere or if the case will move forward, [Kentucky Lantern](#) reports. Abortion is illegal in Kentucky unless the patient is near-death or could suffer permanent impairment of a major organ by giving birth.

"Kentuckians like Jane should be able to focus solely on their health and should not have to worry about bringing a lawsuit," ACLU Reproductive Freedom Project deputy director Brigitte

Amiri said in a [statement](#). Amiri noted **the state Supreme Court ruled in February that providers lack third-party standing to file lawsuits on behalf of their patients.**

Doe was about eight weeks pregnant when she filed a [class action lawsuit](#) on Friday against Republican Attorney General Daniel Cameron and top officials challenging the state's abortion restrictions. The laws — a trigger ban and a six-week ban — are a violation of privacy rights and self-determination, according to the complaint.

The legal challenge follows a lawsuit filed by a pregnant Texas woman whose fetus received a fatal diagnosis around 18 weeks of development, [Texas Tribune](#) reports. Kate Cox's request to the judiciary for an abortion was unsuccessful: The state Supreme Court [determined](#) Cox and her doctor did not meet the legal requirements for pregnancy termination. Lawyers for the 31-year-old mother of two said she obtained an abortion [out of state](#) as her condition deteriorated.

Fallout from the Texas case has garnered national attention. President Joe Biden weighed in Tuesday. "No woman should be forced to go to court or flee her home state just to receive the health care she needs. But that is exactly what happened in Texas thanks to Republican elected officials, and it is simply outrageous," Biden said in a statement. "This should never happen in America, period. Legal and medical chaos, as we are witnessing in states like Texas, Kentucky and Arizona, is a direct result of *Roe v. Wade* being overturned, and as we predicted would happen, women's health and lives now hang in the balance."

THE BEAT *States Newsroom coverage*

Indiana Supreme Court commission seeks release of attorney general agreement



*An Indiana disciplinary commission accused Attorney General Todd Rokita of breaking an agreement he signed in November.
(Photo courtesy of Indiana AG's Office)*

Indiana's high court [reprimanded](#) Republican Attorney General Todd Rokita last month for disparaging an abortion provider on national television. The state Supreme Court Disciplinary Commission wants to unseal a conditional agreement signed by Rokita after he publicly denied wrongdoing, [Indiana Capital Chronicle](#) reports. According to a petition filed Monday, **the commission said Rokita's public statements are inconsistent with the terms and have sowed confusion.** The motion accuses Rokita of flouting the court's authority, leading the commission to question the attorney general's commitment to the agreement and affidavit he signed.

They also said his statements have damaged the public's perception of the attorney discipline system. **Rokita took responsibility for some of the accusations but said he didn't know he had to appear remorseful every time he spoke publicly.** "I'm not going to be silenced from communicating what I know to be true about health care providers or entities who violate patient privacy," he said in a statement, referring to an OB-GYN who oversaw a medication abortion for a 10-year-old rape victim from Ohio.

Dr. Caitlin Bernard provided an abortion for the child in June 2022 and shared a personal anecdote about the case with the [Indianapolis Star](#). Rokita went on Fox News the following month and called Bernard an "abortion activist acting as a doctor — with a history of failing to report." The [Indiana Medical Licensing Board](#) ultimately determined Bernard followed reporting requirements but violated patient privacy laws and fined her \$3,000. Rokita [sued](#) her employer in September, accusing Indiana University Health of the same violations. The hospital has denied the allegations.

Michigan repeals abortion insurance law governor fought for a decade ago



*Michigan Gov. Gretchen Whitmer speaks in Lansing on Dec. 11, 2023 before she signed the last bill in a reproductive rights package Democrats pushed this year.
(Anna Liz Nichols/Michigan Advance)*

Democratic Gov. Gretchen Whitmer signed [legislation](#) on Monday that prevents insurers from requiring separate riders for abortions or other health care. The law, which officially takes effect Feb. 13, is a part of the Reproductive Health Act, a legislative package that also removed some targeted regulations of abortion providers. [Michigan Advance](#) reports that **Whitmer signed the bill into law exactly 10 years after she publicly shared she was sexually assaulted in college.**

In 2013, Whitmer gave a [speech](#) as the Senate minority leader in an effort to stop Republicans from passing restrictions on health insurance coverage. Whitmer and others called the measure “rape insurance.” The then-senator strayed from her prepared remarks toward the end of her speech and revealed that she was a rape victim. Ten years later, the Democratic-leaning legislature approved the repeal of the restrictions, a reform Whitmer pushed for throughout her career. “The moral of this story is don’t stop fighting for what you know is right,” she said.

Mississippi medical board delays effort to give expectant mothers timely health care

The Mississippi Medical Care Advisory Committee is stacked with allies appointed by Republican Gov. Tate Reeves, including two nonmedical professionals. **Medicaid Director Drew Snyder and hospital CEO Kent Nicaud asked officials to delay a recommendation to establish pregnancy presumptive eligibility for Medicaid.** The policy could make it easier for expectant mothers to get prenatal health care, [Mississippi Today](#) reports. Snyder is opposed to Medicaid expansion and was reluctant to expand postpartum Medicaid coverage from two months to a year, a policy that officials approved this year.

Mississippi Health Officer Dr. Daniel Edney made a motion at a committee meeting Monday to recommend the adoption of presumptive Medicaid eligibility to lawmakers or the Medicaid division. “Give these women a chance to have their babies,” Edney said. But Snyder objected, saying the policy was too complex and more research was needed. Nicaud encouraged Edney to modify his position, but he didn’t. **Presumptive Medicaid eligibility and expanded Medicaid benefits for pregnant people leads to less preterm births for low-income mothers**, according to a [study](#).

THE PULL *Commentary from Arkansas*

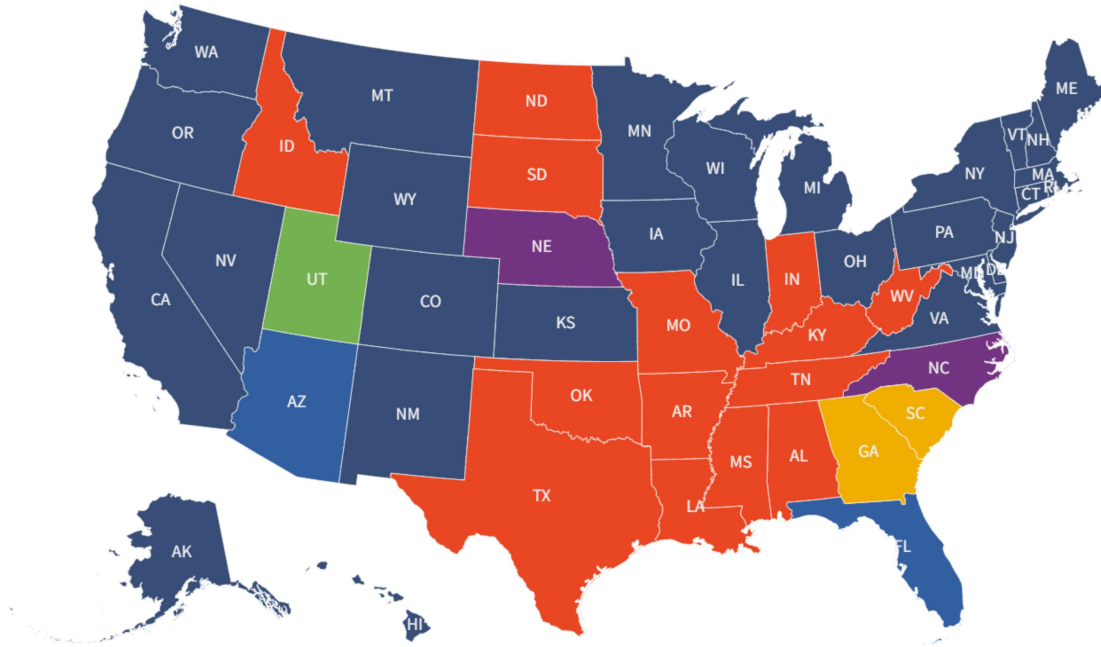
“Adding ‘health of the mother’ exceptions lets doctors protect women before their lives are in danger. Think of a ‘life only’ exception like being in freefall and being told you can only have a parachute at the very last second. There’s not a lot of time to make a decision or to deal with any complexity or nuance. A ‘health of the mother’ exception is like being given a parachute before you jump out of the plane. — **Sam Watson**, For AR People content director, [Arkansas Advocate](#)

THE PULSE *Reproductive rights news across the country*

- More than 75% of Maryland voters polled said the state’s abortion protections could boost the state economy. ([Maryland Matters](#))
- The U.S. Supreme Court declined to hear a case challenging abortion clinic buffer zones. ([Reuters](#))
- A survey found that waiting periods for abortion appointments have lasted for weeks in several states since Roe v. Wade fell. ([Associated Press](#))
- Research shows that Black women suffer from infertility at higher rates than their white counterparts, but they’re least likely to seek assisted reproductive technology. ([Guardian](#))

- Two new books tell the story of Madame Restell, a 19th-century New Yorker who provided abortions, birth control and midwifery care to women for decades, drawing the ire of moral purists. ([The Washington Post](#))

STATE BY STATE *Abortion access in the U.S.*



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