

News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



*Catholic institutions, Planned Parenthood's PAC and other special interest groups provided much of the funding for abortion-related campaigns in recent years and could prove to be large donors in 2024.
(Graham Stokes/Ohio Capital Journal)*

Since the June 2022 *Dobbs v. Jackson Women's Health Organization* ruling, Americans in California, Michigan, Ohio and Vermont have voted to protect reproductive rights in their state constitutions. Kansas, Kentucky and Montana rejected anti-abortion constitutional amendments proposed by Republican-controlled legislatures. Abortion was a focal point of the 2023 Pennsylvania and Wisconsin Supreme Court races, where reproductive rights-supporting candidates prevailed.

Millions of dollars from the left and the right have poured into those post-*Dobbs* referendums. They'll likely fund some of the abortion initiatives that could be on the ballot in nearly a dozen

states this year. States Newsroom's Kelcie Moseley-Morris examined the [money and special interests groups](#) on both sides of the abortion debate in the Kansas and Ohio elections:

- **Kansas** — In an August 2022 special election, more than 59% of Kansas voters rejected Amendment 2, or the “Value Them Both” amendment, which would have explicitly stated no right to an abortion in the state, among other broad restrictions. This election was the first time the issue was directly in front of voters after the Dobbs decision led to Roe v. Wade's upheaval.

Kansans for Constitutional Freedom, the abortion rights coalition that urged voters to deny the measure, raised \$10.5 million by Election Day, according to campaign finance records. Planned Parenthood Action Fund gave \$1.1 million.

In-state contributors comprised the majority of the abortion rights campaign donations, but the largest amount of money came from New Yorkers. For instance, former New York City mayor Michael Bloomberg gave the group \$1.25 million. Progressive dark money group Sixteen Thirty Fund donated roughly \$1.5 million, the most funding to the group.

Value Them Both, supporters of the anti-abortion proposal, reported \$6.6 million. Roughly 68% of the group's money came from churches and religious groups, especially Catholics. The Archdiocese of Kansas City gave nearly \$3.2 million and another \$1.2 million came from other state-based Catholic institutions. Anti-abortion group Kansans for Life provided \$1.25 million to the coalition. Most of the donors were from Kansas.

- **Ohio** — Two months ago, nearly 57% of Ohioans approved Issue 1, a reproductive rights constitutional amendment, despite Republicans holding the governor's mansion and both legislative chambers.

Amendment backer Ohioans United for Reproductive Rights raised \$39.5 million between August and November, while anti-abortion group Protect Women Ohio raised \$14.6 million during the same period. Protect Women had 1,601 contributions, while Ohioans United had 16,979 donations. Nearly 74% of the reproductive rights coalition's money came from special interest groups.

Sixteen Thirty Fund gave Issue 1 supporters nearly \$5 million directly between August and November and \$2 million via a PAC called Ohioans for Reproductive Freedom. Another \$3 million came from Lynn Schusterman, the wife of an Oklahoma oil tycoon, and Bloomberg donated another \$1 million to the effort. More than \$2.6 million came from Planned Parenthood Action Fund.

The Concord Fund, a conservative dark money group backed by former Federalist Society vice president Leonard Leo, gave the anti-abortion coalition \$8.36 million from August to November. Leo was instrumental in suggesting anti-abortion Supreme Court nominees to former President Donald Trump, according to [ProPublica](#). Ohio's Catholic institutions also contributed \$1.9 million to Protect Women Ohio. Susan B. Anthony Pro-Life America gave about \$1.8 million.

THE BEAT *States Newsroom coverage*

U.S. Supreme Court to take up Idaho emergency abortions case



*The U.S. Supreme Court will consider cases over abortion pills and the role of federal emergency medical treatment regulations in abortion care.
(Ariana Figueroa/States Newsroom)*

The same court that overturned *Roe v. Wade* a year and a half ago has decided to take up a case connected to a federal law that the Biden administration says requires emergency room doctors to perform life-saving abortions. On Friday afternoon, the U.S. Supreme Court announced that it will hear arguments in the case brought by Idaho officials asking whether the state's near-total abortion ban supersedes the federal Emergency Medical Treatment and Labor Act, [States Newsroom](#) reports.

EMTALA requires hospitals that receive federal Medicare funding to provide stabilizing care, such as abortions, regardless of a patient's ability to pay. **The court also lifted an injunction that granted Idaho doctors protection from prosecution for providing emergency abortion care.**

Therefore, Idaho's ER doctors could face jail time, fines and lose their licenses for giving patients medically necessary abortions. **Doctors in the state have said they will transfer pregnant patients elsewhere if their water breaks prematurely, for example.** Idaho's abortion ban only holds exceptions to save a person's life.

After the *Dobbs* decision, the U.S. Department of Health and Human Services issued a notice to hospitals that determined emergency abortions are covered under EMTALA, regardless of state bans. Officials in Idaho and Texas disagreed. Last week, the U.S. 5th Circuit Court of Appeals ruled that EMTALA does not mandate that ER doctors in Texas perform life-saving abortion care.

The Idaho case will be the second abortion-related case to be heard by the Supreme Court this term. Justices are also slated to hear arguments over the federal approval of the abortion

Arkansas AG rejects proposed abortion rights amendment again

Republican Attorney General Tim Griffin once again rejected an abortion rights initiative, [Arkansas Advocate](#) reports. **In an opinion issued Thursday, Griffin wrote that the definition of physical health is potentially misleading and should be revised.** He denied a petition submitted last year by a Little Rock resident that would restore abortion access up to 18 weeks of pregnancy in most cases. State law only allows abortions for medical emergencies, including saving a pregnant person's life. **Griffin dismissed the first proposal in late November, urging the petitioner to include explicit medical definitions and avoid partisan language.**

The second draft defines physical health exceptions for abortion after 18 weeks as “not the absence of disorder, illness, or injury, but as the presence of those things,” Griffin wrote. “That is the opposite of the common meaning of ‘health.’... I suspect you intended something like this: to permit ‘abortion services’ when, among other things, they ‘are needed to protect the pregnant female from a physical disorder, physical illness, or physical injury.’”

Arkansans for Limited Government, the committee behind the effort, said they will go back to the drawing board and work with the writer to make the changes Griffin requested. If the attorney general approves the third version, supporters will need to collect some 90,000 signatures from registered voters by early July.

Providers speak out against Iowa's new abortion rules

Iowa doctors are concerned proposed rules for abortions will diminish reproductive health care. The state Board of Medicine's new guidelines would require abortion providers to detect a “fetal heartbeat” using an ultrasound before terminating the pregnancy, [Iowa Capital Dispatch](#) reports. **A six-week ban, currently blocked and under review by the state's high court, would prohibit abortion before most people know they're pregnant.** Critics say calling a six-week pregnancy's development a fetus is inaccurate: Embryos don't become fetuses until around 10 weeks, according to the National Library of Medicine.

Dr. Emily Boevers, an OB-GYN, criticized the new rules during a public hearing last week. “I think it's very important that the board consider the impact of these rules on physicians that are out in practice, attempting to care for patients that are in the maternal health deserts and the underserved areas in Iowa.” Boevers presented comments from other doctors on the effect the potential rules would have on the field. Providers took issue with provisions that ignore minors may need abortions and said the rules' ambiguity could make recruiting and

retaining physicians difficult. **The requirements carry penalties of up to \$10,000 and a license suspension.**

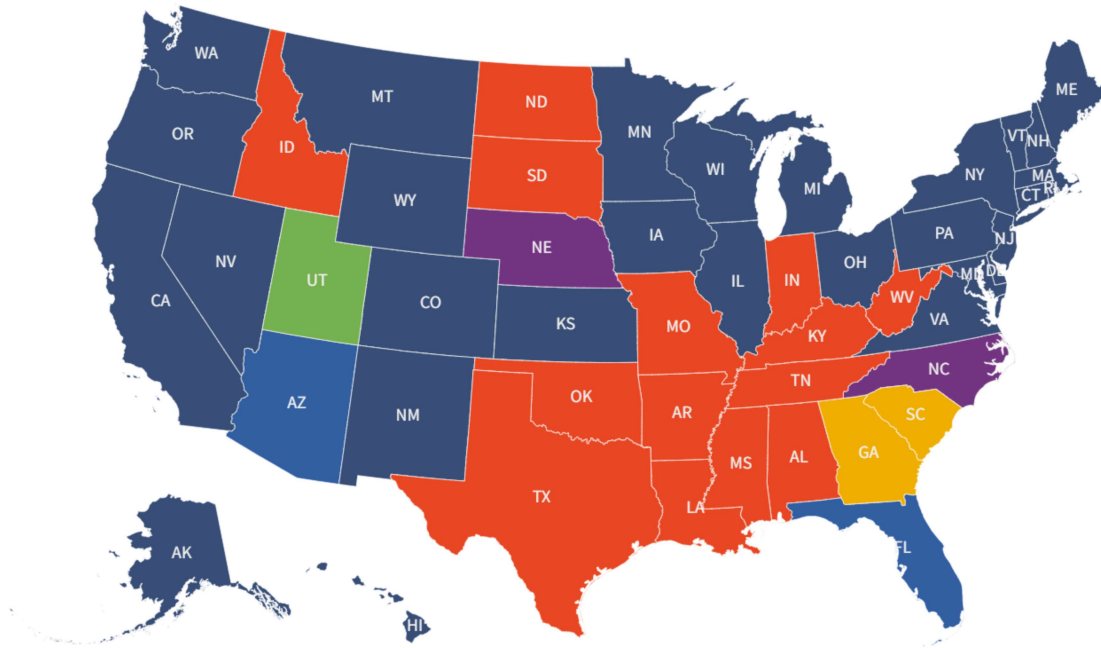
THE PULL *Commentary from Kentucky*

“Democrats also have filed to run in districts where, although the odds are worse, a Democratic victory still would be within the realm of possibilities due to how abortion politics has upset old voting patterns.” — **D. Stephen Voss**, political scientist, [Kentucky Lantern](#)

THE PULSE *Reproductive rights news across the country*

- Florida election officials certified that an abortion rights petition has gathered enough valid signatures to make the ballot. ([Florida Phoenix](#))
- Indiana Attorney General Todd Rokita accused the state Supreme Court Disciplinary Commission, which wants to release an agreement he signed after he was reprimanded for remarks about an abortion provider, of caving to political pressure. ([Indiana Capital Chronicle](#))
- Kentucky’s Democratic and Republican lawmakers want to remove taxes on period products. ([Kentucky Lantern](#))
- New Jersey lawmakers advanced a bill that would require most health insurers to cover fertility treatments. ([New Jersey Monitor](#))
- New York Gov. Kathy Hochul’s plan for improving maternal and child health could establish paid prenatal leave, eliminate pregnancy care copays and give free cribs to low-income parents. ([The New York Times](#))
- Wyoming’s Indian Health Service clinics have well-staffed maternal health care teams, a contrast to the low number of obstetrics providers in the state. ([WyoFile](#))

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



Open this interactive map in your browser

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