

News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



GOP Sen. Tim Melson, Alabama Senate Healthcare Committee chair, is drafting legislation that could protect IVF. The state Supreme Court issued a ruling last week defining frozen embryos as “unborn children.”
(Brian Lyman/Alabama Reflector)

Fallout from the Alabama Supreme Court’s decision that said frozen embryos are “children” has reached the legislature. **Sen. Tim Melson**, a Republican, said he’s planning to file a bill that would protect access to in vitro fertilization, [Alabama Reflector](#) reported.

“We all know that conception is a big argument that it’s life,” Melson, the chair of the Senate Healthcare Committee, said. “I won’t argue that point, but it’s not going to form into a life until it’s put into the uterus.” His bill would clarify that embryos are not viable until they’re planted in the uterus.

Melson's announcement came a day after **the Medical Association of the State of Alabama condemned the ruling**, and officials at **The University of Alabama Birmingham** — the state's largest health system — said it **will temporarily stop IVF** treatments. Two more clinics, **Mobile Infirmary's [Center for Reproductive Medicine](#)** and the **Alabama Fertility Specialists**, announced Thursday that they were halting IVF treatments.

Alabama Fertility Specialists in Birmingham said in a [statement](#) that it "made the impossibly difficult decision to hold new IVF treatments due to the legal risk to our clinic and our embryologists."

Providers at UAB's Division of Reproductive Endocrinology and Infertility will still perform egg retrieval, but **fertilization and embryo development are paused**, according to the [Reflector](#).

"We are saddened that this will impact our patients' attempt to have a baby through IVF, but we must evaluate the potential that our patients and our physicians could be prosecuted criminally or face punitive damages for following the standard of care for IVF treatments," Hannah Echols, a UAB spokesperson, wrote in a statement.

The court's ruling makes fertility clinics liable in wrongful death lawsuits if embryos are destroyed or lost. In the majority [opinion](#), Justice Jay Mitchell cited the 1872 Wrongful Death of A Child Act and an anti-abortion constitutional amendment that [59% of voters approved](#) in 2018.

President Joe Biden weighed in on the decision Thursday: "The disregard for women's ability to make these decisions for themselves and their families is outrageous and unacceptable."

THE BEAT *States Newsroom coverage*

Kansas GOP lawmakers introduce ultrasound mandate, prison time for abortion 'coercion'



Sen. Kristen O'Shea, seen during a Feb. 15, 2023, committee hearing, introduced two anti-abortion bills in the Senate. Republicans Leah Howell and Rebecca Schmoie introduced companion bills in the House. (Sherman Smith/Kansas Reflector)

Republicans in Kansas, where citizens have a constitutional right to bodily autonomy, introduced bills this week that would require abortion providers to offer ultrasounds and mandate prison time for coercing people into getting abortions.

The measures were introduced simultaneously in both chambers, [Kansas Reflector](#) reported. GOP **Sen. Kristen O'Shea** sponsored the Senate bills, while Republican Reps. Leah Howell and Rebecca Schmoie filed them in the House.

The ultrasound [bill](#) would make physicians display images and describe the “dimensions of the embryo or fetus” along with the development of organs. Providers who don't comply would be guilty of a felony crime and subject to civil lawsuits by “a father who is married to the pregnant person at the time of the abortion,” according to the Reflector.

Kansans for Life senior lobbyist Jeanne Gawdun told the Reflector that the ultrasound bill is narrowly tailored “to protect a woman from the dangers of an undetected **ectopic pregnancy**,” a [life-threatening condition](#) that occurs when a fertilized egg grows outside the uterus, typically in the fallopian tubes. The U.S. [Food and Drug Administration](#) advises against using abortion medication to terminate ectopic pregnancies.

Meanwhile, the “coercion” [bill](#) would make it illegal to persuade someone to get an abortion. Violators could face between a month and a year in prison, plus a fine ranging from \$500 to \$5,000. A person older than 18 who gets a minor pregnant would face tougher penalties if convicted.

“The true source of coercion — in the form of scare tactics, nonmedical requirements, and taxpayer dollars sent to misleading anti-abortion facilities — is under the Capitol dome,” said Anamarie Rebori Simmons, spokesperson for **Planned Parenthood Great Plains Votes**.

Arkansas doctors and lawmakers discuss how to improve maternal health care



*Gov. Sarah Huckabee Sanders was among a panel of Republican lawmakers and physicians discussing the Arkansas' maternal health care landscape.
(Tess Vrbín/Arkansas Advocate)*

Providers and elected officials who attended a roundtable discussion at the University of Arkansas for Medical Sciences this week agreed that improving birth outcomes will require more collaboration and teamwork. U.S. Sen. John Boozman, U.S. Rep. French Hill and Gov. Sarah Huckabee Sanders, all Republicans, spoke at the event, [Arkansas Advocate](#) reported.

Dr. Nirvana Manning, chair of the University of Arkansas for Medical Sciences Obstetrics and Gynecology department, praised laws enacted last year that require Medicaid coverage for **postpartum depression screenings** and **long-acting reversible contraception** for new mothers. "We need to assess ways that we can wrap [services] around that mom, not only in that immediate postpartum period of 60 days, but in the long trajectory," Manning said.

The state has the highest rate of maternal mortality in the nation, but lawmakers have not expanded postpartum Medicaid coverage from 60 days to 12 months. A bill that would have extended the policy failed last year due to cost concerns.

THE PULL *Commentary from Iowa*

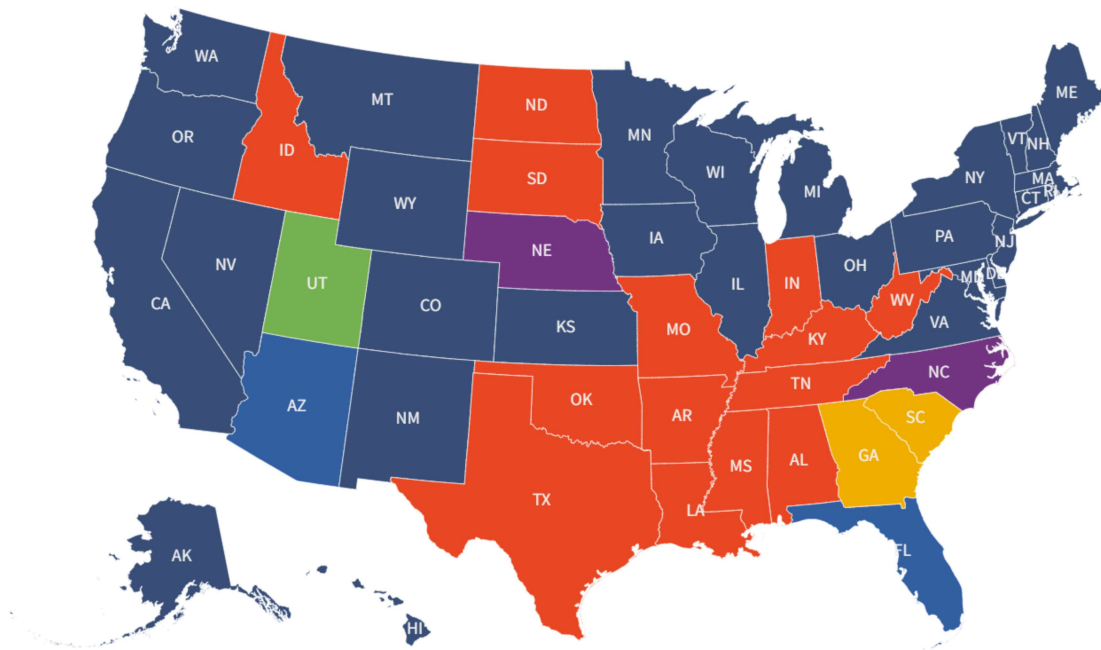
"One of the most bizarre proposals, [HF 2617](#) , would have required schools to show a pregnancy and fetal development video to elementary students as young as first grade. The

video would teach that life begins at fertilization. Apparently, ‘Meet Baby Olivia,’ an anti-abortion group video, doesn’t explain why one-third to one-half of fertilized eggs never implant.” — **Cheryl Tevis**, columnist, [Iowa Capital Dispatch](#)

THE PULSE *Reproductive rights news across the country*

- Republican governors in Georgia, New Hampshire and Tennessee said they’re supportive of in vitro fertilization procedures in response to the Alabama high court’s IVF ruling. ([Politico](#))
- GOP presidential candidate Nikki Haley, who conceived via artificial insemination, said frozen embryos are “babies” but also said she values patient-provider relationships. ([NBC News](#))
- Virginia Gov. Glenn Youngkin, a Republican, doubled down on his support of a 15-week abortion ban during an anti-abortion rally in Richmond. ([Associated Press](#))
- Doctors in several states that have abortion shield laws protecting providers from out-of-state investigations are sending mifepristone and misoprostol to patients who live in places where pregnancy termination is banned. ([The New York Times](#))
- Tippi MacKenzie, a fetal surgeon at the University of California, San Francisco, is studying how to use CRISPR gene editing to cure diseases in utero. ([Stat News](#))

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



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