

News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



Illinois Democratic Sen. Tammy Duckworth speaks during a press conference on IVF inside the U.S. Capitol on Tuesday, Feb. 27, 2024. Also pictured from left are Wisconsin Democratic Sen. Tammy Baldwin, Senate Democratic Leader Chuck Schumer of New York and Washington state Democratic Sen. Patty Murray. (Jennifer Shutt/States Newsroom)

A group of U.S. Senate Democrats are trying to pass a bill that would protect access to in vitro fertilization.

The push follows an Alabama Supreme Court's [ruling](#) that fertilized eggs are “unborn children” under state law, according to [States Newsroom](#) reporter Jennifer Shutt.

Illinois Sen. **Tammy Duckworth** said the bill is important to securing the right to IVF for people who use assisted reproductive technology to conceive.

“After a decade of struggle with infertility post my service in Iraq, I was only able to get pregnant through IVF,” said Duckworth, a military veteran. “IVF is the reason that I’ve gotten to experience the chaos and beauty, the stress and the joy that is motherhood. IVF is the reason that my husband and I aren’t just Tammy and Bryan, we are mom and dad.”

Duckworth said she plans to ask for **unanimous consent** on Wednesday to pass the bill. The method is the fastest way to approve legislation on the Senate floor, but any one senator can block the bill from advancing.

If a Republican senator blocks the legislation, Duckworth said she expects Senate Majority Leader Chuck Schumer to hold a **roll call** vote on the bill.

“There’s so many countless people we all know who have the joy of children because of IVF,” Schumer said at a press conference Tuesday. “It’s heartbreaking, it’s enraging and Republicans know it.”

THE BEAT *States Newsroom coverage*

Researchers call for more abortion studies to be retracted



Seventeen experts want four abortion-related studies retracted on the grounds that they contain egregious errors.

(Getty Images)

Health and science experts published a [commentary in the British Medical Journal](#) on Tuesday **calling for the retraction of four abortion-related studies that influenced major**

abortion decisions, including the U.S. Supreme Court *Dobbs v. Jackson Women’s Health Organization* ruling that overturned *Roe v. Wade* nearly two years ago. The commentary followed Sage Journals’ [retractions](#) of studies that were cited in a case before the Supreme Court over the abortion drug mifepristone, according to [States Newsroom](#) reporter Sofia Resnick.

“There’s a lot of damage that has been done, and probably will continue to be done, but it’s really important that scientific and medical journals correct these kinds of mistakes so that people don’t lose faith in science,” said lead author Julia H. Littell, a professor at the Graduate School of Social Work and Social Research at Bryn Mawr College.

Authors of the commentary said four studies published between 2002 and 2011 “erroneously attributed women’s mental health issues to abortions they had, in some cases by confusing correlation with causation and failing to correct for factors that explained the relationship,” Resnick reported. **These studies were authored by anti-abortion activists but still continued to be cited by lawmakers and judges to defend abortion restrictions**, including the case the nation’s high court is set to hear next month.

Kentucky GOP bills would allow child support for fetuses, add exceptions to abortion ban

A Republican-backed bill that would let Kentucky residents collect child support for fetuses as long as there is an order in place within a year of the child’s birth passed out of a Senate committee Tuesday, according to the [Kentucky Lantern](#). “The support obligation begins as soon as that life begins,” said sponsor Sen. Whitney Westerfield. “And I think we ought to be able to go after that.”

Democratic Sen. Cassie Chambers Armstrong, who filed legislation Tuesday that would protect access to [IVF](#), said she voted for the bill because it can help new mothers. But she wants the proposal categorized as maternity care support, instead of child support. “I worry about this being a stepping stone to things like in-utero visitation and ... the downstream consequences that could arise,” Chambers Armstrong said.

Meanwhile, **Rep. Ken Fleming, a Louisville Republican, filed a bill this week that would allow pregnant rape and incest survivors to get abortions**, the [Lantern](#) reported. Fleming’s measure would let the physician determine if assault had occurred and terminate the pregnancy.

“We all encounter difficult heart-wrenching decisions in life. As a father of two daughters, I have always supported them financially, emotionally, and especially spiritually,” Fleming said in a statement. “With them on my mind and in my heart, exceptions for life-saving measures for the mother and in cases involving rape or incest should be included in our state’s abortion law.”

Patients could get an abortion no “later than six weeks after the first day of the woman’s last menstrual period,” according to draft legislation reviewed by the Lantern. The bill would also clarify that abortions for fatal fetal anomalies, ectopic pregnancies and miscarriages are permitted. Prior attempts to loosen Kentucky’s abortion restrictions have stalled.

Alabama Republican senator files bill to protect IVF services

Republican Sen. **Tim Melson** filed a bill Tuesday that said **no criminal or civil action can be brought against IVF providers** “except for an act or omission that is both intentional and not arising from or related to IVF services,” [Alabama Reflector](#) reported. Republican Rep. Terri Collins filed a companion bill in the state House.

Melson said he hopes the legislation will help fertility clinics reopen. He told reporters he took out potential life language. “Some people feel that we don’t need to go down that road when we’re determining when life begins,” Nelson said. “I didn’t think it did, but I’m glad to take it out, and that didn’t change the intent of the bill.”

Several IVF clinics around the state suspended services after the state Supreme Court’s Feb. 16 ruling that “that families could sue their clinics for destroyed frozen embryos under an 1872 state law allowing parents to file civil lawsuits over the death of children,” the Reflector reported.

THE PULL *Commentary from Ohio*

“The same extremists lining up to support a federal abortion ban, that would override hard-earned reproductive freedoms in states like Ohio, are now tripping all over themselves to profess their support for IVF and personal choice. *Yeah right.*” — **Marilou Johaneck**, columnist, [Ohio Capital Journal](#)

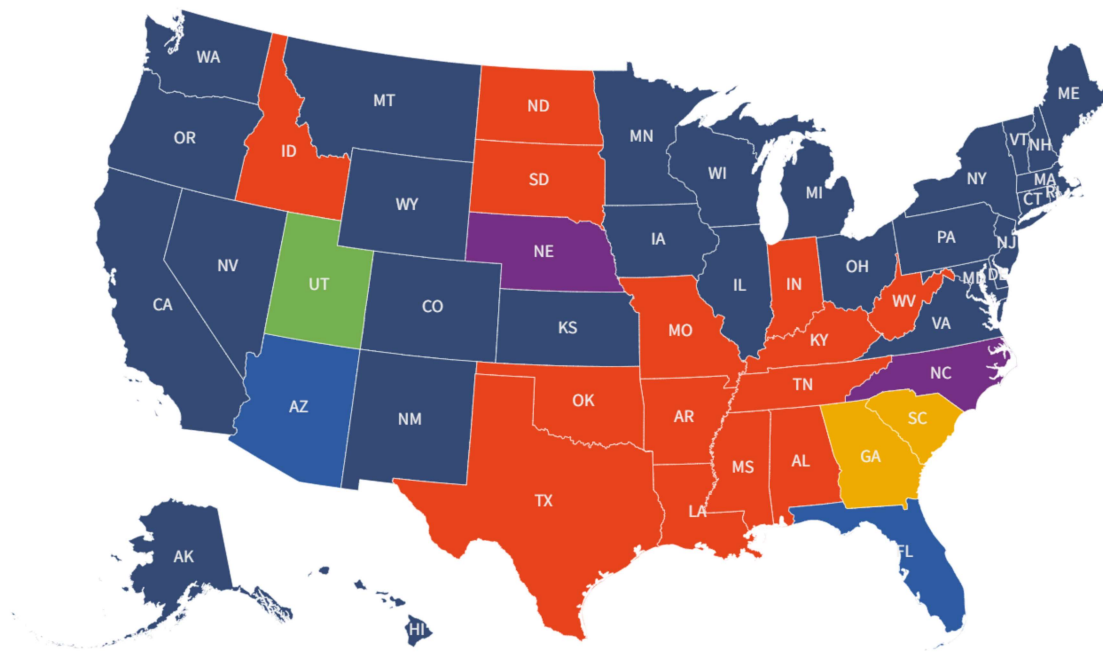
THE PULSE *Reproductive rights news across the country*

- Florida Republicans postponed a bill that would have let people file wrongful death lawsuits for fetuses. ([Florida Phoenix](#))
- Two Missouri GOP lawmakers and an anti-abortion advocate dropped a lawsuit over the estimated cost of an abortion rights initiative petition that is no longer active. ([Missouri Independent](#))
- Legislators in Utah want to repeal an abortion clinic ban in hopes that it will speed up an abortion case before the state Supreme Court. ([Utah News Dispatch](#))
- North Carolina Senate leader Phil Berger, a Republican, said he opposes substantial changes to the state's 12-week abortion ban. ([Public Radio East](#))

- Nurse-midwives at an Upper Manhattan hospital, which primarily serves Black and Latino patients, were let go without reason. ([Rewire News Group](#))
- Doulas, midwives and lactation consultants in Illinois are now eligible Medicaid health care providers under a policy enacted this year. ([Capitol News Illinois](#))
- Vanderbilt University Medical Center doctors shared the inner workings of the hospital's abortion committee in Tennessee, which has a near-total abortion ban. ([ProPublica](#))
- Sociologist Gretchen Sission's new book explores the perspectives of people who give up their children for adoption. ([The Cut](#))

Correction: Monday's newsletter incorrectly reported information about Nebraska Sen. Machaela Cavanaugh's family. We regret the error.

STATE BY STATE Abortion access in the U.S.



Open this interactive map in your browser

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