

News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



*Women in Alabama rallied at the statehouse in support of in vitro fertilization last month. Some Americans in states with Republican-controlled legislatures fear IVF is at risk.
(Brian Lyman/Alabama Reflector)*

Two Alabama clinics are restarting IVF services after lawmakers' hasty response to a Feb. 16 state Supreme Court [ruling](#) that declared frozen embryos as "children" paused treatments over legal liability concerns.

Alabama Fertility [announced](#) on social media that staff would resume embryo transfers and IVF this week: "A solution – after 19 days of uncertainty and 14 days of missed opportunities for our patients."

The University of Alabama at Birmingham plans to restart IVF services soon, spokesperson Hannah Echols said in a statement. “While UAB is moving to promptly resume IVF treatments, we will continue to assess developments and advocate for protections for IVF patients and providers,” Echols said.

But not the **Center for Reproductive Medicine** at Mobile Infirmity and Infirmity Health, defendants at the center of the lawsuit that prompted the political maelstrom. “Based upon the language of the law, we are not reopening until we have legal clarification on the extent of immunity provided by the new Alabama law,” Hannah Peterson, spokesperson for Infirmity Health, said in an email.

“At this time, we believe the law falls short of addressing the fertilized eggs currently stored across the state and leaves challenges for physicians and fertility clinics trying to help deserving families have children of their own,” Peterson said. A fourth couple sued the center last week, seeking wrongful death damages for destroyed frozen embryos, [Alabama Reflector](#) reported.

Republicans framed the legislation signed into law by Gov. Kay Ivey this week as a [short-term solution](#) to the court decision, **which has stoked worries about the future of IVF, especially in Republican-controlled states like Kentucky and Ohio.**

In **Kentucky, Lisa Sobel is one of three Jewish women that sued state officials over abortion bans, citing infringement of their religion**, [Kentucky Lantern](#) reported. Her lawyers believe the restrictions could impact IVF.

“We read the laws and saw that what happened in Alabama could happen in Kentucky,” said Aaron Kemper, one of Sobel’s lawyers.

They argue that state laws — a trigger law that took effect after the end of federal abortion rights in 2022 and a six-week abortion ban — violated the Religious Freedom Restoration Act. The statutes say life begins when a human egg is fertilized, a belief not associated with Judaism.

Sobel and her husband were able to have a child through IVF. “For us, this really is a joy,” she said. “We want for there to be other families to be able to have this joy.”

The plaintiffs are asking a judge to rule that Kentucky’s laws violate the state constitution, a decision that would also protect IVF, according to Sobel’s lawyers.

Newly-elected Republican Attorney General **Russell Coleman** told the Lantern that lawmakers should protect IVF, which he said is “an incredible blessing for so many seeking to become parents.” Democrats and Republicans recently introduced legislation that could shield infertility care.

But Kemper, Sobel’s lawyer, said some of the bills are contradictory: “I don’t see how they’re ever going to be able to enact a law that protects IVF while maintaining that a fertilized embryo is a human being.”

Meanwhile in Ohio, Republican leaders are dismissing calls for pro-IVF legislation. “We seem to be in this national culture that if some court in Alabama or some other state says something that we all should be reacting to it,” Senate President Matt Huffman said, according to the [Ohio Capital Journal](#).

House Speaker Jason Stephens said he’s monitoring fallout from the Alabama decision but supports infertility treatments. “IVF provides hope and is 100% pro-family.” A spokesperson for GOP Gov. Mike DeWine told the Capital Journal his office is monitoring any IVF-related policy.

A reproductive rights amendment voters approved in November safeguards access to IVF, abortion and related health care. But the measure hasn’t stopped Republicans from introducing anti-abortion legislation this year.

In fact, **the state’s blocked six-week abortion ban is still on the books**. Providers are suing to get the law permanently removed, but Republican Attorney General Dave Yost wants the lawsuit dismissed.

THE BEAT States Newsroom coverage

Maryland senators want to boost security at abortion clinics



Maryland Gov. Wes Moore hands a pen to state Sen. Ariana Kelly, a Montgomery County Democrat, after he signed a proposed abortion rights amendment last year. The measure will be on the November ballot.

(Bryan P. Sears/Maryland Matters)

Two Democratic lawmakers are sponsoring measures that would use state funds to bolster security at abortion clinics, [Maryland Matters](#) reported.

Sen. **Ariana B. Kelly**'s bill would create an Abortion Care Access Grant Program and Fund that state health officials would manage. The proposal comes with a **\$1 million** price tag and would also pull money from the Affordable Care Act, which requires insurers to collect a premium for abortion services.

Legislation sponsored by Sen. Sarah K. Elfreth would instead require **\$500,000** to create a Reproductive Health Care Clinic Security Grant Program through the governor's crime prevention and policy office. Funding would go toward physical security infrastructure, not security staff.

Anti-abortion advocates oppose both proposals. "Bill proponents are attempting to destroy reality and manufacture a crisis in order to extort additional tax-payer funding to further enrich the multi-million dollar abortion industry," said Laura Bogley, executive director of Maryland Right to Life.

Kansas Democrats push erectile dysfunction, vasectomy amendments for abortion survey bill



Kansas Democratic Rep. Melissa Oropeza wants the state abortion survey to ask men why they seek vasectomies.

Women lawmakers in Kansas tried to add amendments to abortion survey legislation that would make doctors ask men about erectile dysfunction and vasectomies. Rep. Melissa Oropeza and Rep. Stephanie Sawyer Clayton, both Democrats, disagreed with the scope of a bill the Republican-dominated state House advanced Wednesday, [Kansas Reflector](#) reported.

The [measure](#) would **double the frequency of state health agency reports on abortion and require providers to ask abortion patients more than a dozen questions**, including the following: Does the patient believe she has enough children? Is the patient unable to afford a child? Is the patient's husband or partner abusive?

Oropeza said the legislation was intrusive and inhumane. She proposed an amendment that would gather information about the number of vasectomies performed in Kansas since the U.S. Supreme Court overturned Roe v. Wade nearly two years ago. "I agree there are things we do need to know about reproductive care," Oropeza said. A House panel struck down her proposal.

Another amendment offered by Sawyer Clayton would require the state to collect data from physicians and clinics about the number of men seeking help for erectile dysfunction, which she called a "scourge on the state of Kansas" and an important issue related to the birth rate. Republican Rep. Brenda Landwehr said the proposal wasn't suitable for an abortion bill, which had nothing to do with male body parts.

Landwehr, along with Kansas for Life and Alliance Defending Freedom, backed the abortion survey bill. "We just want to have more information. Make sure we're making the right decision for these women." Physician and GOP Rep. Ron Bryce said doctors routinely ask patients for detailed information. "There is absolutely nothing in this bill that is different or intrusive compared to the status quo," he said.

Arkansas governor unveils maternal health plan, rebuffs postpartum Medicaid expansion



*Gov. Sarah Huckabee Sanders announced a campaign geared at improving pregnancy outcomes in Arkansas. The state has the nation's highest maternal death rate.
(Screenshot via [Facebook livestream](#))*

Republican Gov. **Sarah Huckabee Sanders** signed an executive order Wednesday that will create a statewide maternal health care plan, [Arkansas Advocate](#) reported. Sanders said one of the goals is to connect expectant mothers with health care providers and resources that already exist.

The governor also dismissed calls to extend Medicaid coverage for new mothers from 60 days to 12 months, calling the federal government program “redundant.” Arkansas is one of few states that has yet to expand [postpartum Medicaid](#).

“It would make for a good headline, but it doesn’t actually solve the issue,” Sanders said. Secretary of Human Services Kristi Putnam pointed to three continuous coverage options for mothers with low income: **fee-for-service Medicaid, the state’s Medicaid expansion program or a marketplace plan.**

Democratic Party of Arkansas vice chair Jannie Cotton criticized the announcement. “It’s clear Black maternal health, which is the worst in the nation, is not a priority in this administration, and that’s concerning,” she said. Black maternal mortality rates in Arkansas rose [110%](#) from 1999 to 2019, according to a study published last June.

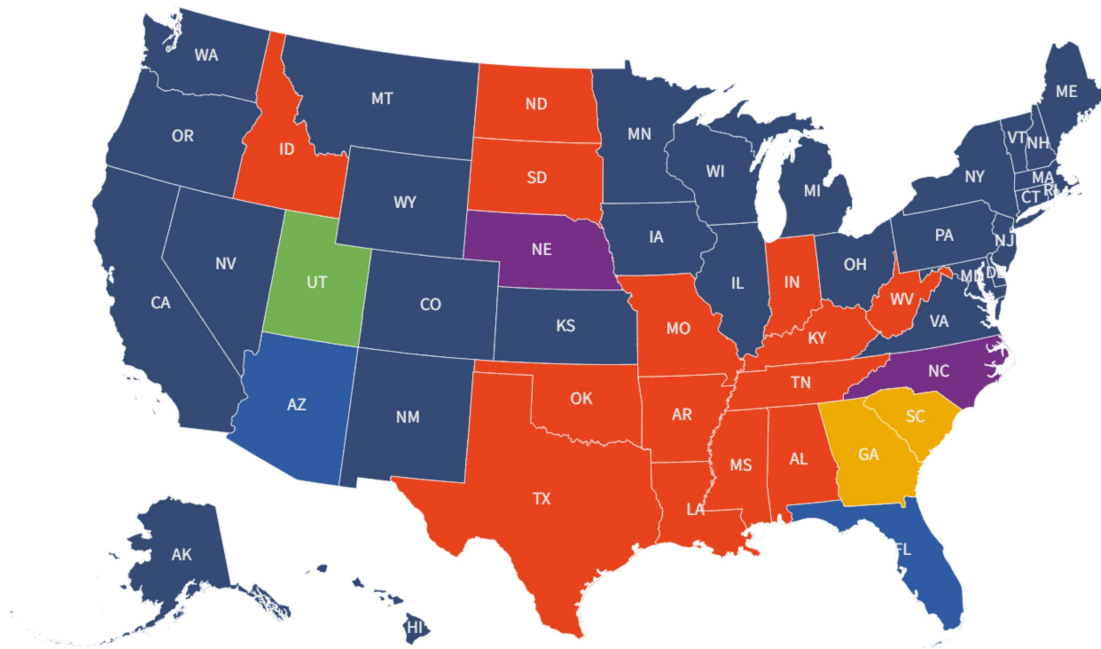
THE PULL *Commentary from Wisconsin*

“We’re contemplating an administration that has demonstrated its willingness to destroy the institutions of our democracy, that wants to impose a national abortion ban and elevate judges who are members of a Christian nationalist cult, that has forcibly sterilized women in immigrant detention centers and deliberately separated little children from their parents, never to find them again.” — **Ruth Conniff**, editor-in-chief, [Wisconsin Examiner](#)

THE PULSE *Reproductive rights news across the country*

- Virginia Gov. Glenn Youngkin is reviewing legislation that would require insurers to fully cover contraceptives. ([Virginia Mercury](#))
- Alabama teachers would have to tell students about the state's abortion ban, adoption and infant surrender laws if a bill under consideration passes. ([Alabama Reflector](#))
- U.S. Rep. Elissa Slotkin, a Democrat vying for Michigan's open U.S. Senate seat, talked about the debate over IVF and abortion issues at a town hall. ([Michigan Advance](#))
- Nearly 90% of Americans said women should have access to abortions for pregnancy-related emergencies, a new poll shows. ([NPR](#))
- Former first lady Betty Ford, a trailblazer who advocated for breast cancer awareness, substance use treatment and gender equality, will be featured on a new stamp. ([Michigan Advance](#))

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



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