

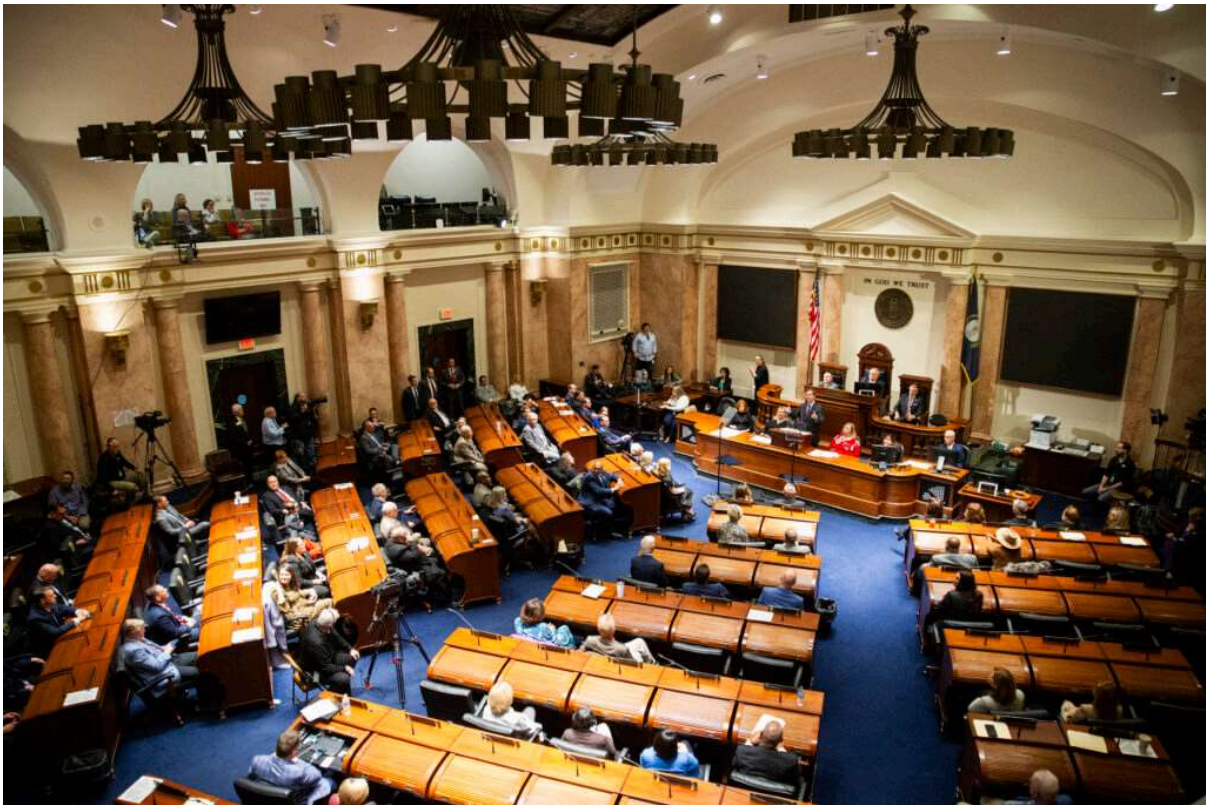
News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



*Former Kentucky Speaker Bobby Richardson made a personal speech on the House floor in 1984 that swung a vote in favor of in vitro fertilization. The chamber's shown here during January's State of the Commonwealth address.
(Arden Barnes/Kentucky Lantern)*

The Alabama Supreme Court ruling that said embryos are “unborn children” drew bipartisan condemnation and caused lawmakers in several states to introduce bills protecting in vitro fertilization, including Georgia, South Carolina and Kentucky, where debate over assisted reproductive technology goes back decades.

Veteran lawmakers say one of the most dramatic moments in the history of the General Assembly was when former House Speaker Bobby Richardson, a Democrat, defended IVF and shared his family's struggles with infertility, [Kentucky Lantern](#) reported.

It had been a few years since the first American IVF baby was born in 1981. The state’s Right to Life group objected to former Democratic Rep. Greg Stumbo’s bill that would have allowed public funds to go to infertility treatments. Stumbo told the Lantern that debate over his 1984 legislation was tense: Some anti-abortion lawmakers believed embryos were alive and human.

Richardson stepped down from the speaker’s chair — a move that broke from tradition — and delivered a floor speech in favor of IVF. “The best I remember about that speech,” he said in a recent interview, “is that I was thinking about one of the worst tragedies in life is the couple who wants to have a baby and cannot.” **Votes changed after his speech**, and Stumbo’s measure passed.

Today, Kentucky legislators have introduced several bills that could safeguard access to IVF. Right to Life only supports the [bill](#) proposed by GOP Sen. **Whitney Westerfield**, which would limit liability for providers if they lose or damage an embryo. IVF is a personal issue for Westerfield, too. His son was conceived via IVF, and he recently shared that his wife is expecting triplets from embryos they adopted.

Addia Wuchner, executive director of **Kentucky Right to Life**, opposes a Democrat-backed [measure](#) that states embryos outside of the uterus are not considered unborn children. “That bill undermines what we affirm,” she said.

THE BEAT *States Newsroom coverage*

IVF advocates say more needs to be done to protect access in Alabama



Barbara Collura, president and CEO of RESOLVE: The National Infertility Organization, speaks at a rally in support of legislation to protect in vitro fertilization at the Alabama Statehouse in Montgomery on Feb. 28, 2024.

(Brian Lyman/Alabama Reflector)

Alabama Gov. Kay Ivey signed legislation last week shielding IVF providers and patients from criminal liability, but **questions about the future of infertility treatments remain**. Officials at two clinics that halted services after a state Supreme Court ruling classified embryos as “unborn children” announced they would restart treatments, [Alabama Reflector](#) reported.

However, **the Center for Reproductive Medicine did not resume IVF services**. A spokesperson for the clinic said in a statement that 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.” The provider was a defendant in a wrongful death lawsuit brought by three couples after the unintentional loss of embryos in 2020. Another couple sued the center last month.

Experts said additional legislation is needed to remedy the court’s ruling. “There is more work to be done,” said Barbara Collura, president and CEO of RESOLVE: The National Infertility Association, in a statement.

State Rep. Terri Collins, a Republican who cosponsored the IVF law, said lawmakers are working on a long-term solution. She pointed to Louisiana's law that an embryo is a “juridical person” with limited rights. That statute has led IVF providers in Louisiana to ship and store embryos out of state, [The Washington Post](#) reported. Last month, **Alabama House Minority Leader Anthony Daniels filed an amendment** that would clarify that an embryo outside the uterus is not an “unborn life” or “unborn child.” Voters in the state approved a constitutional amendment in 2018 that gave the state leeway to protect “the sanctity of unborn life,” which justices frequently cited in the IVF ruling.

Dana Sussman, deputy executive director of Pregnancy Justice, said she’s unsure if new proposals could hold constitutionally. “The challenge then becomes, in a state like Alabama, is there any other way to define when life begins other than from the moment of conception — which is not an actual moment, it’s not a scientific or medical designation — can they make a determination that moves the needle in some way from where it is right now? And I don’t know. I have strong doubts,” Sussman said.

Virginia governor seeks religious exemption to contraception insurance coverage bill

Republican Gov. **Glenn Youngkin** recommended changes to legislation that would require health insurers to cover contraception, [Virginia Mercury](#) reported. He proposed a religious exemption to a bill that the Democratic-controlled General Assembly sent to his desk. Youngkin’s office said the tweak would “ensure that non-governmental plan sponsors with sincerely held religious or moral beliefs are not required to provide insurance coverage for contraception in accordance with existing federal and state law.”

House Democrats criticized the recommendation, saying it “only serves the purpose of adding additional barriers to access for women across Virginia who are more than capable of deciding when and how they want to start a family.” **The bill would make insurance carriers in the state cover all federally approved contraceptive drugs, over-the-counter medication and devices at no out-of-pocket cost to the insured.** Some Republican lawmakers supported the bill, the [Mercury](#) reported.

But the **Virginia Catholic Conference opposed the measure.** “It would force these organizations to choose between following the law or following their deeply and sincerely held beliefs,” Jeff Caruso, the group’s executive director, told a House committee in January. Democratic Del. Candi Mundon King, the bill’s cosponsor, said nothing in the legislation overrides [federal law](#), which allows employers to deny contraceptive insurance coverage based on religious convictions.

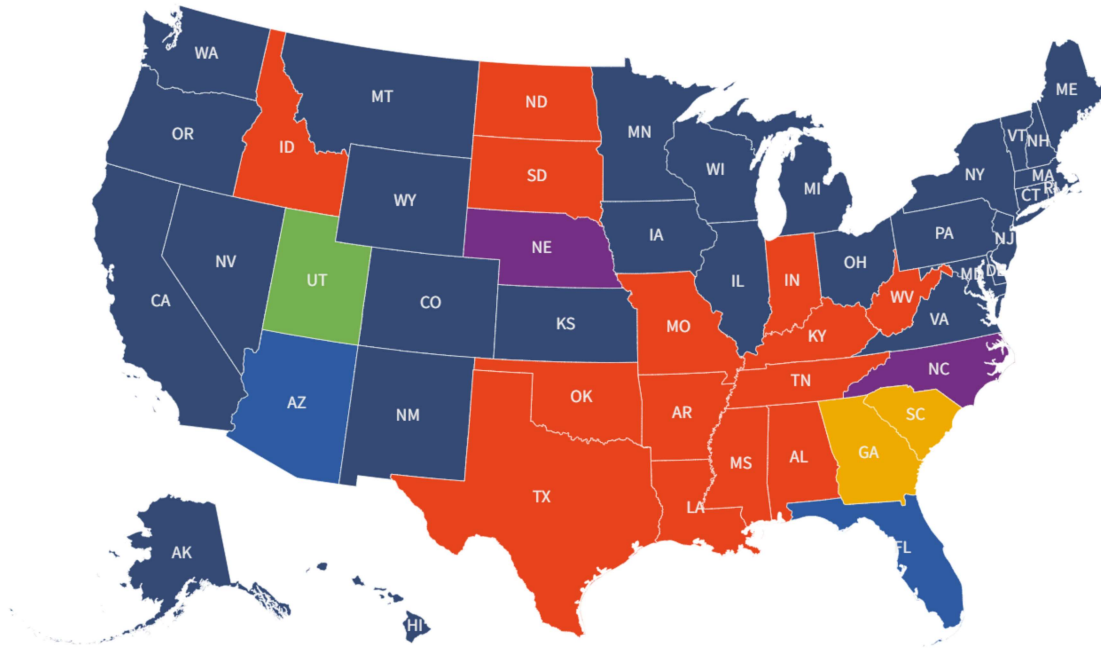
THE PULL *Commentary from Kansas*

“Frankly, it’s not the state’s business why any individual has any health care procedure. Abortion is safe and effective, and it has lower complication rates than other common surgeries. But lawmakers want to harass those exercising their personal freedoms anyway. Why? Because they want to dissuade women from getting abortions. It’s that simple. And if they have to barrage them with unwanted questions to do so, they will.” — **Clay Wirestone**, opinion editor, [Kansas Reflector](#)

THE PULSE *Reproductive rights news across the country*

- The U.S. Department of Veterans Affairs expanded IVF access to unmarried veterans and veterans in same-sex marriages. ([States Newsroom](#))
- Advocates in Connecticut rallied against a health care system merger deal with a Catholic hospital group that could have jeopardized reproductive services, such as emergency contraception and abortion. ([Stateline](#))
- North Dakota Lt. Gov. Tammy Miller, a Republican running for governor, opposes abortion in most cases and supports IVF. ([North Dakota Monitor](#))
- Texas disability advocates say child services need government support as birth rates rise. ([Texas Tribune](#))
- Even members of the medical community sometimes disagree on how to define abortion. ([Stat News](#))
- Some IVF opponents believe that the treatment is “unnatural” and that discarding extra embryos is immoral. ([The Atlantic](#))

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



Open this interactive map in your browser

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