



Let's Build: Freedom. Fairness. Future

To: Interested Parties
From: Future Majority
Re: Attacks on choice ramp up during healthcare crisis
Date: March 31, 2020

For nearly 50 years, the freedom to choose has been attacked by conservatives and anti-abortionists. And now in the midst of a global pandemic, they are using the COVID-19 crisis for political purposes to up their attacks and threaten access to healthcare around the country. Currently, Republican lawmakers across the United States are fighting to close abortion clinics during the pandemic, as they have deemed the majority of abortions as not medically essential. But with the economic and health stressors posed by the pandemic, access to abortion is more important than ever.

Every abortion is a medically essential abortion. Studies have shown that abortion denial can result in serious mental health implications; it leads to spikes in issues like anxiety and depression. Moreover, without access to abortion, women may become trapped in abusive situations. In Portland, Oregon, for example, a domestic violence hotline [reported](#) calls have doubled during the outbreak.

States attacking abortions

Texas has declared that abortions are nonessential surgeries during the COVID-19 outbreak. Texas Attorney General Ken Paxton argued that these clinics are using necessary protective equipment for healthcare workers on the frontline of the pandemic. Specifically, the Attorney General stated that failure to adhere to the new rules could result in a penalty of up to \$1,000 or 180 days in jail. Ohio, Louisiana, Mississippi, and Kentucky have released similar declarations. So far, Texas is the only state to explicitly attempt to ban abortion procedures.

But restricting access to abortion – while especially troubling during a public health crisis – is not new. All of these states have sought to restrict abortion rights and access in the last year. Last May, federal judges blocked a “heartbeat” ban bill in Mississippi and in July, a similar bill was blocked in Ohio. The measure would have banned abortions as early as 6 weeks into a pregnancy. In Texas, many cities have declared themselves “sanctuary cities for the unborn.” Currently in Kentucky, seven anti-abortion bills stand before lawmakers; one bill would codify the state Attorney General’s ability to prosecute violators of state abortion laws and terms for disposal of fetal remains. Additionally, a case in Louisiana now faces the Supreme Court — the law under scrutiny requires doctors who perform abortions to have “admitting privileges” at a hospital within 30 miles of the abortion clinic. Depending on the ruling, this could strip Americans of their freedom to choose by scaling back and even overturning *Roe vs. Wade*.

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These attacks aren't just on a state level. When developing the economic relief package, Republicans in the House attempted to put anti-choice restrictions into the relief bill. Anti-choice lawmakers insisted on including language that backups the foundations of the Hyde Amendment, which already strips millions of low-income Americans from accessing abortion care.

Pro-choice activists are fighting back

While anti-choice advocates attack life-saving healthcare during this pandemic, many organizations are fighting back. Most recently, Planned Parenthood sued Texas for its abortion ban during the outbreak. The lawsuit was filed on behalf of eight reproductive health clinics and claims that the order is unconstitutional and violates *Roe v. Wade*. To protect women's healthcare, the suit demands an immediate temporary restraining order to keep clinic doors open in Texas.

Going Forward

There are steps those who are interested in protecting healthcare access can take:

- States and localities can establish hotline for those seeking abortions where they can ask whether or not their right to abortion has changed during the pandemic and if so, be provided with resources to overcome barriers.
- Lawmakers and outside groups can continue to push back against anti-choice language in future relief packages and stimulus bills.
- States should support low-income patients struggling with healthcare costs during the COVID-19 crisis. The median cost of an abortion at 10-week gestation is \$500, whereas the median cost of an abortion at 20-week gestation is \$1195.2. While the Hyde Amendment restricts state Medicaid programs from using federal funds to cover abortions beyond the cases of life endangerment, rape, or incest, states can use their own funds to cover abortions in other circumstances.
- States can remove limitations on using private insurance to pay for abortions. States have the authority to regulate whether abortion coverage is included or excluded in private plans that are not self-insured.
- Other states can follow the lead of Vermont by passing legislation to codify the right to an abortion in their state.