

Arkansas abortion pills restriction remains on hold

August 23 2018, by Andrew Demillo

A federal appeals court won't allow Arkansas to enforce a law that critics say would make the state the first in the U.S. to effectively ban abortion pills.

The 8th U.S. Circuit Court of Appeals on Wednesday denied a request by the state to put on hold a judge's order preventing Arkansas from enforcing the law, which says doctors who provide the pills must hold a contract with a physician with admitting privileges at a hospital who agrees to handle any complications.

Planned Parenthood has said its two facilities and another unaffiliated clinic in Little Rock have been unable to find a physician willing to contract with them.

U.S. District Court Judge Kristine Baker's preliminary injunction in July said the abortion clinics must continue trying to find contracting physicians, but said the state cannot impose any penalties on them for continuing to administer the abortion pills. Baker ruled that the requirement imposes "substantial burdens" on a large fraction of women seeking medication abortions.

The court's one-page ruling did not elaborate on its reason for denying the stay request.

"The district court's thoughtful ruling demonstrated that real harm comes from creating obstacles for women seeking abortion, and the Eighth

Circuit's ruling allows that decision to stand for now," Brandon J. Hill, president and chief executive officer of Planned Parenthood Great Plains, said in a statement. "For our patients, staff, and supporters, this is a small but important victory in our larger fight to uphold access to health care."

The state's appeal over the preliminary injunction halting the law is still pending before the appeals court, which had sided with the state over an earlier ruling by Judge Baker against the restriction. The U.S. Supreme Court in May rejected Planned Parenthood's appeal to reinstate Judge Baker's 2016 preliminary injunction blocking the law.

"The denial of a stay pending resolution of the appeal allows Planned Parenthood and Little Rock Family Planning Services to continue providing medication abortions without access for women to reliable emergency health care following complications," Attorney General Leslie Rutledge said in a statement. "Last year, the 8th Circuit unanimously ruled that Judge Baker was incorrect in her efforts to originally attempt to block this law. Attorney General Rutledge will continue to defend Arkansas law and fight to protect the lives of women across the state."

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