

Texas moves to ban most abortions due to virus outbreak

March 23 2020, by David Crary, Jim Vertuno and Julie Carr Smyth

The governor and attorney general of Texas are moving to ban most abortions in the state during the coronavirus outbreak, declaring they don't qualify as essential surgeries.

Attorney General Ken Paxton said Monday that the order issued over the weekend by Gov. Greg Abbott barred "any type of [abortion](#) that is not medically necessary to preserve the life or health of the mother."

Failure to comply with the order can result in penalties of up to \$1,000 or 180 days of jail time, Paxton said.

"No one is exempt from the governor's executive order on medically unnecessary surgeries and procedures, including [abortion providers](#)," Paxton said. "Those who violate the governor's order will be met with the full force of the law."

The issue also has flared in Ohio, where abortion clinics received letters Friday from Republican Attorney General Dave Yost ordering them to cease all "non-essential" surgical abortions. Yost wrote that the procedures violate a March 17 order issued by the state health director.

However, representatives of Ohio clinics said that they were in compliance with the health director's order and planned to continue providing abortions.

Amid the moves by Ohio and Texas, a coalition of anti-abortion groups

urged its allies across the nation to ask governors to ban most abortions on the grounds they were not essential.

"If abortion is a 'choice' then abortion is an elective procedure," said Mark Harrington, president of the anti-abortion group Created Equal.

Abortion-rights leaders nationwide decried the tactic, saying it was an affront to women grappling with difficult decisions amid the disruptions of the pandemic.

"Abortion is time-sensitive, essential health care," said Katherine Hancock Ragsdale, president of the National Abortion Federation.

"Women deserve better than a craven exploitation of a health care crisis in furtherance of an anti-abortion agenda."

In Ohio, abortion clinics planned to remain in operation.

Jennifer Branch, an attorney for the Women's Med Center of Dayton, said the clinic had already taken steps to minimize the use of personal protective equipment—one of the issues raised in the state's order.

The CEOs of two Planned Parenthood affiliates in Ohio are said their clinics also were in compliance, having cut back on the use of equipment that is in short supply.

Cleveland-based Preterm, the busiest abortion clinic in Ohio, is not open on Mondays but said it was continuing to take appointments for later in the week.

Bethany McCorkle, a spokesman for Yost, said the orders sent to three abortion clinic operators weren't politically motivated, but rather, were due to complaints from the public. She said they were similar to orders sent to a urology practice.

In Texas, Planned Parenthood did not immediately respond to a request for comment on the order from Abbott, but it was hailed by anti-abortion activists.

"The abortion industry has been consuming and hoarding medical supplies that are in desperate need around the state including masks, gloves, and other protective gear for medical professionals," said Texas Right to Life.

Carol Tobias, president of National Right to Life, called on abortion clinics nationwide to temporarily halt abortion services.

"Abortion clinics conducting business as usual in the presence of a life-threatening disease shows just how callous pro-abortion groups and abortionists are to protecting life at any stage," said Tobias.

Bonyen Lee-Gilmore, director of state media campaigns for the Planned Parenthood Federation of America, said Planned Parenthood clinics were intend on remaning in operation.

"While public health providers work together in our communities to care for patients whose health care can't wait, some anti-abortion activists are exploiting the COVID-19 pandemic to push their ideological agenda," she said. "This is not a time to play politics."

There were no immediate reports of other states planning to target abortion clinics with restrictions related to COVID-19, even in Republican-governed states that have been active in passing anti-abortion legislation in recent years.

In Idaho, the governor's office said the state "has not mandated providers stop procedures of any type. Health systems are determining what procedures are considered elective internally."

The executive director of Georgia Right to Life, Zemmie Fleck, said she has not heard of any plans by Georgia Gov. Brian Kemp to curtail abortions because of the coronavirus. But she suggested such a step would be warranted.

"Already we see people, even people that I know personally, whose elective surgeries have been postponed due to this pandemic," she said in a phone interview. "I would say the same should apply to the abortion industry as well."

Diane Derzis, owner of the only abortion clinic in Mississippi, told The Associated Press that the clinic had not been told by the state to stop providing the procedure.

"It is our contention that we are an essential service," Derzis said by phone from Alabama, where she lives.

A spokeswoman for Mississippi Gov. Tate Reeves did not immediately respond to a question from the AP on Monday about whether he will order a halt to abortions.

Planned Parenthood Advocates of Michigan says Democratic Gov. Gretchen Whitmer's order, issued Friday, to prohibit elective procedures does not extend to abortions. Whitmer supports abortion rights.

Similarly, in North Carolina, health department spokeswoman Sarah Peel said [abortion clinics](#) would not be covered by a directive asking hospitals and ambulatory surgery centers to suspend all elective and non-urgent procedures and surgeries.

These medical procedures are defined as those that would not cause harm to the patient if put off for at least four weeks, a letter to hospitals says. So surgical abortions are "not something that would need to be

postponed," said Peel.

He department is in the administration of Democratic Gov. Roy Cooper, who supports abortion rights.

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