

Texas lawsuit threatens access to abortion pill nationally

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Access to medication abortion could be at risk nationwide because of a

Texas lawsuit working its way through the court system.

Alliance Defending Freedom, the group involved in the case in Mississippi that led to the Supreme Court overturning the landmark Roe v. Wade ruling, also filed this lawsuit.

The case will be decided by U.S. District Judge Matthew Kacsmaryk, who was appointed by former President Donald Trump, *CBS News* reported.

If the judge sides with the organization filing suit, the [drug](#) mifepristone, approved by the U.S. Food and Drug Administration nearly two decades ago, could become unavailable both in states that ban abortions and those where it is legal, *CBS News* reported.

The [judge's](#) decision could also remove easier access that's been implemented more recently, including the 2021 FDA decision not requiring women to pick up the drug in person and a 2023 decision that allowed pharmacies to dispense the drug.

"It could have an immediate impact on the country," said Mini Timmaraju, president of NARAL Pro-Choice America, told *CBS News*. "In some ways, this is a backdoor ban on abortion."

The decision could come soon after a Feb. 24 filing deadline, and would likely be appealed, *CBS News* reported.

The group's allegation is that the FDA should not have used an accelerated review process for this drug, *CBS News* reported.

"Our representatives in Congress created the FDA and gave the FDA the responsibility to make sure that drugs are safe before they're allowed on the market ... the FDA failed that responsibility," said Julie Blake,

senior counsel for the group.

The FDA has responded that it didn't accelerate the drug's approval, rather that it approved it four years after the manufacturer applied, *CBS News* reported.

It would be "extraordinary and unprecedented" to stop distribution of the drug after so long, federal attorneys said in a legal filing.

Medication abortion has become more important since the Supreme Court's June decision overruling *Roe v. Wade*, Elizabeth Nash, state policy analyst for the Guttmacher Institute, told *CBS News*.

Even before that decision, about half of abortions in the United States were medication abortions.

In medication abortion, a mifepristone pill is taken at up to the 10th week of pregnancy. It dilates the cervix and blocks the essential pregnancy hormone progesterone.

Another drug, misoprostol, is then taken 24 to 48 hours later, causing the uterus to contract and expel pregnancy tissue. Together, they are more than 95% effective.

"The clinics that are open in the receiving states are stretched thin, they don't have a lot of give in their capacity and being able to provide medication [abortion](#) is very, very important," Nash said.

More information: The group KFF has more on [medication abortion](#).

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