

New York proposal would protect doctors who send abortion pills across state lines

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Boxes of the drug mifepristone sit on a shelf at the West Alabama Women's Center in Tuscaloosa, Ala., on March 16, 2022. Doctors in New York who prescribe abortion pills to patients in states where the procedure is illegal would be provided with legal protections under a bill approved by state lawmakers. Credit: AP Photo/Allen G. Breed, File

Doctors in New York who prescribe abortion pills to patients in states where the procedure is illegal would be provided with legal protection under a bill approved by state lawmakers.

The measure, which will be considered by Gov. Kathy Hochul, is among a wave of state-level abortion bills taken up nationwide in the year since the U.S. Supreme Court struck down the nationwide right to abortion. Advocates say the New York bill, if approved, would allow women in states around the country to get abortion pills more safely and quickly.

"It will make it much less difficult for people to get abortions with pills in a timely way," said Dr. Linda Prine, co-founder of the Abortion Coalition for Telemedicine Access. Prine said she would be involved in the effort.

A year after the Dobbs ruling, 14 states have bans on abortion throughout pregnancy—with some exceptions—while other states have adopted deep restrictions.

The bill, given final legislative approval Tuesday, would protect medical professionals who provide legal reproductive services via telemedicine to out-of-state patients. Under the measure, New York officials would be barred from cooperating with certain legal actions initiated in states where abortion is banned, such as arrests or extraditions.

"I think that these other states are becoming bolder in how they come after abortion providers and people who seek abortion services or reproductive health services," sponsoring Assemblymember Karines Reyes said Wednesday. "So we just want to make sure that in New York we're protecting them."

More than half of abortions in the United States are now carried out with medication, according to the New York Assembly.

The measure also would protect those providers from professional discipline and malpractice insurance rate hikes. However, the bill would not bar other states from pressing charges, and it would not remove the threat of people being extradited if they travel beyond New York.

"New York here is doing what it can to take itself out of the equation as an obstacle to providing care," said Jenna Lauter, a legal fellow at the New York Civil Liberties Union.

The New York bill would extend protections approved last year to protect reproductive health care providers from out-of-state litigation. New York is among 14 states that have enacted laws that protect people from out-of-state legal actions since 2022, according to the National Institute for Reproductive Health.

Several of those states include protections for telehealth services, including Colorado, Connecticut and Illinois.

"These states that are stepping up right now, like New York has, are being really clear that they will not be complicit in any way in attempts by other states to engage in criminal prosecutions, professional sanction or civil action," National Institute for Reproductive Health President Andrea Miller said.

Hochul, who has supported abortion rights, has not said whether she would sign the bill. A spokeswoman said in an email that "we are reviewing the legislation."

One prominent opponent is the New York State Catholic Conference, which accused New York of seeking to become "the abortion capital of the United States."

"This legislation is nothing more than political pandering—eroding

standards through which doctors can be held accountable in order to appear progressive on the issue of abortion," Kristen Curran, the conference's director of government relations, said in a prepared statement. "New York should respect the laws of other states, just as other states should respect New York's."

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