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Texas laws would limit access to abortions and create grave risk to the public health

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Nearly 60 leaders in the field of public health submitted an amicus brief to the Supreme Court last week arguing that two Texas laws restricting abortion clinics creates a 'grave risk to public health.' The Supreme Court is set to hear opening arguments March 2 on this landmark case, which is known as *Whole Woman's Health v. Cole*. The public health brief filed Jan. 4, 2016 by the American Public Health Association (APHA), deans of schools of public health, and other public health leaders from across the nation argues that the laws would effectively shutter many clinics that now provide abortions in Texas and make it hard, if not impossible, for many women to obtain necessary and constitutionally protected health care, thereby violating the 'undue burden' test established by the Court in 1992 in *Planned Parenthood v. Casey*.

"If the High Court upholds the Texas laws women there will be forced to travel very long distances for abortion care or will lose access to this service altogether," says Susan F. Wood, PhD, Executive Director of the Jacobs Institute of Women's Health at Milken Institute School of Public Health (Milken Institute SPH) at the George Washington University. "Without access to safe, legal abortion care, women of reproductive age will face sharply increased health risks," says Wood, who is also an associate professor of health policy and management at Milken Institute SPH.

The amicus brief supports the Center for Reproductive Rights, which is representing an abortion provider in the state of Texas. At issue are two

Texas laws, which require that physicians who provide abortions in clinics (one of the safest of all medical procedures) also have hospital admitting privileges; and that abortion clinics meet strict building standards designed for ambulatory surgical centers.

This brief argues that these requirements are unnecessary to protect women's health and will lead to widespread clinic closure. The Center for Reproductive Rights has said that upholding Texas' law would lead to the closure of all but 10 abortion clinics—leaving 500 miles between San Antonio and the New Mexico border without a single clinic.

The brief warns that if left in place, the state's laws would disproportionately affect lower-income women, who are less likely to have access to either contraceptive services or transportation to a distant, safe abortion provider. "The Texas laws are the very definition of unconstitutional burden," says Sara Rosenbaum, JD, the Harold and Jane Hirsh Professor of Health Law and Policy at Milken Institute SPH and a coordinator of the brief.

"Abortion is a safe and critical component of comprehensive reproductive care," Wood adds, saying: "If the Texas laws stand, women will face significant risks, not only in Texas but across the nation as other states follow its lead."

More information: Access the full amicus brief of Public Health Deans, Department Chairs, and Faculty and the American Public Health Association in Support of Petitioners.

Provided by George Washington University

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