

Illinois Attorney General Urges Supreme Courts To Reverse Lower Court's Ruling On Medication Abortion

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CHICAGO – Attorney General Kwame Raoul today, with 23 other attorneys general, filed a brief supporting access to medication abortion and other essential health care for all Americans.

Raoul and the coalition [filed the amicus brief](#) in the U.S. Supreme Court in support of the Food and Drug Administration's (FDA) and Danco Laboratories LLC's petitions for certiorari seeking review of the U.S. Court of Appeals for the 5th Circuit's ruling that reinstated certain medically-unnecessary restrictions on the medication. Mifepristone is the only FDA-approved abortion medication, and the coalition argues that the Fifth Circuit's ruling would have dangerous consequences on reproductive health care outcomes, particularly for low-income and underserved communities. The 5th Circuit's decision has not gone into effect because of a prior stay issued by the Supreme Court freezing restrictions on the drug until the case is resolved.

“Mifepristone has been used safely by millions of Americans for decades and should not be subject to burdensome restrictions that limit access to safe and effective health care,” Raoul said. “Mifepristone continues to be available in Illinois, and I will continue to fight to protect the rights of Illinoisans to access the full range of reproductive health care and to make their own health care decisions.”

Attorney General Raoul and the coalition are urging the Supreme Court to grant the petitions to bring the case on medication abortion before the court. The coalition asks the Supreme Court to reverse the 5th Circuit's legally-unsound decision that restricts how mifepristone can be prescribed and dispensed. The amicus brief highlights that the 5th Circuit's decision ignores decades of high-quality evidence and clinical research that shows mifepristone is safe and effective.

The coalition notes that if the 5th Circuit's decision is permitted to take effect, it could disrupt access to the most common method of abortion, harming countless individuals in need of abortion care or management of pregnancy loss, with widespread implications for the health care system. Among other things, the ruling could lead many individuals to undergo procedural abortion, push abortion procedures later in pregnancy, drive up risks, costs and delays, and deprive many individuals of access to reproductive health care altogether. The coalition further argues that the ruling would create widespread confusion among providers, distributors and pharmacies, and radically destabilize the regulatory process for drug approvals, stifling scientific innovation and imperiling the development and availability of thousands of drugs nationwide.

Prior to the Supreme Court issuing its stay, Raoul, as part of a coalition of 18 states, proactively filed [a lawsuit](#) to preserve access to mifepristone for patients in Illinois. On April 7, a federal judge in Washington issued an injunction preventing the FDA from reducing the availability of medication abortion in Illinois and other participating states.

Joining Raoul in submitting today's amicus brief are the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington and Wisconsin.