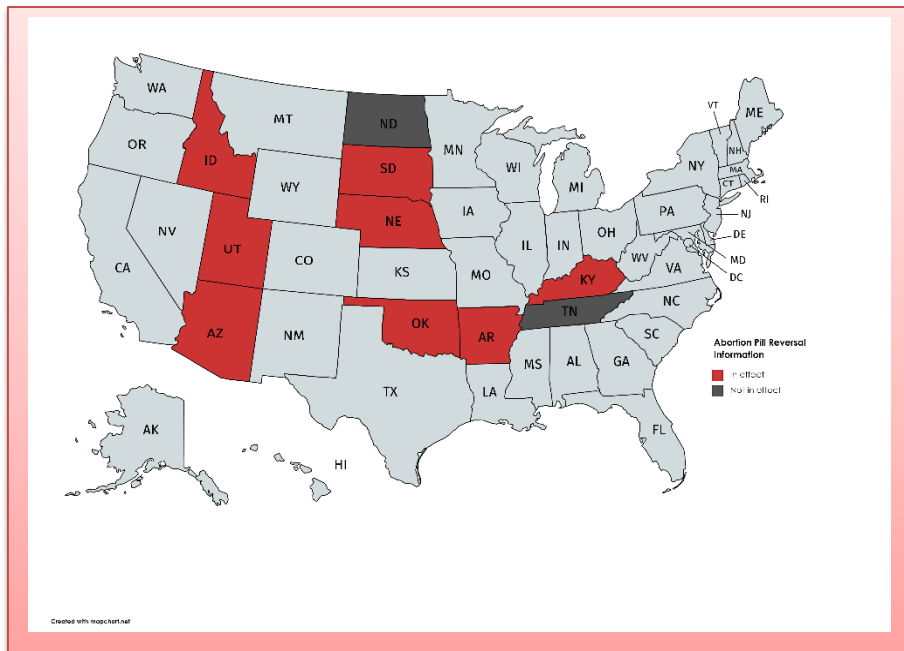


State Laws on Abortion Pill Reversal Information

January 15, 2021

An informed consent law that requires abortion facilities to inform a woman prior to or soon after the first step of a chemical abortion that if she changes her mind, it may be possible to reverse the effects of the chemical abortion, but that time is of the essence.

Currently ten (10) states have enacted laws requiring this information to be provided.



States with Laws regarding Abortion Pill Reversal

1. Arizona*
2. Arkansas
3. South Dakota
4. Utah
5. Idaho
6. North Dakota**
7. Kentucky
8. Oklahoma
9. Nebraska
10. Tennessee

* A previous APR law was repealed following legal action in and was replaced with weaker language in accordance with the consent agreement. See *Planned Parenthood Arizona, Inc., et al., vs. Mark Brnovich*.

** Not in effect.

State Legislation Department
202.626.8819



Abortion Pill Reversal Information Laws

STATE	INFORMATION	STATUS	Link to Materials
<p>Arizona A.R.S. § 36-2153 (2016)</p>	<p>If a woman consults the abortion clinic questioning her decision to abort and she has not yet taken the 2nd drug, she must be informed that the use of mifepristone alone to end a pregnancy is not always effective and that she should immediately consult a physician if she would like more information.</p> <p>Also requires the Department of Health services to establish and update a website with information on APR.</p>	<p>In effect</p>	<p>http://www.azdhs.gov/documents/prevention/womens-childrens-health/informed-consent/a-womans-right-to-know.pdf</p>
<p>Arkansas A.C.A. §§ 20-16-1703 20-16-1704 (2017).</p>	<p>Requires the physician performing the abortion to inform the woman of the possibility of reversing the procedure at least 48 hours prior to the abortion.</p> <p>Also requires that information on reversing the effects of abortion-inducing drugs is available in materials prepared by the Department of Health.</p> <p>In 2019, Arkansas amended their existing law to provide written notice about the possibility of abortion pill reversal and the same written notice is posted on the Department of Health website.ⁱ</p>	<p>In effect</p>	<p>http://www.healthy.arkansas.gov/programsServices/healthStatistics/Documents/abortion/abortiondecisionbook.PDF</p>
<p>Idaho To be codified as Idaho Code § 18-609 (f)</p>	<p>Requires the physician performing the abortion to provide information directing the patient where to obtain further information and assistance in locating a health care provider whom she can consult about chemical abortion, including the interventions, if any, that may affect the effectiveness or reversal of a chemical abortion.</p>	<p>In effect</p>	<p>http://healthandwelfare.idaho.gov/Portals/0/Health/MoreInformation/AboutAbortion_WebVersion_May2017.pdf</p>
<p>Kentucky KRS § 311.774</p>	<p>Information is provided verbally and in the written informed consent materials on the possibility of abortion pill reversal, where it can be obtained, and contact information for assistance.</p>	<p>In effect</p>	

STATE	INFORMATION	STATUS	Link to Materials
Nebraska Neb. Rev. Stat. Ann § 28-327	Information is provided verbally and in the written informed consent materials on the possibility of abortion pill reversal and where it can be found on the website of the Department of Health and Human Services. Also includes reporting for abortion pill reversal attempts and whether an emergency existed which caused the abortion facility to waive the information.	In effect	http://dhhs.ne.gov/Pages/Informed-Consent-for-Abortion.aspx
North Dakota to be codified as: N.D. Cent. Code § 14-02.1-02 (b)(5); 14-02.1-02.1	Information is provided to the woman on the possibility of reversing the effects of an abortion inducing drug and in the printed informed consent materials.	Not in effect. The state has agreed to delay enforcement pending litigation. A preliminary injunction was issued in <i>AMA v. Stenehjem</i> , 412 F. Supp. 3d 1134 (D.N.D. 2019).	Not available yet: http://www.ndhealth.gov/familyhealth/Preg_Abortion_booklet_final.pdf
Oklahoma Okla. Stat. tit. 63, § 1-756	Abortion facilities must post a sign informing the woman about the possibility of abortion pill reversal. Seventy-two hours prior to a medication abortion, women must be informed by telephone or in person about the possibility of abortion pill reversal. There is also a written notice with the information after a woman takes the first abortion pill. The information is also included in the informed consent materials in print and website.	In effect	http://www.awomansriight.org/resources.php
South Dakota S.D. Codified Laws § 34-23A-10.4 (2016)	The Department of Health must develop and maintain a multi-media website that contains web pages covering information on discontinuing a drug-induced abortion.	In effect	http://doh.sd.gov/abortion/induced-abortion-methods-risks.aspx?

STATE	INFORMATION	STATUS	Link to Materials
Tennessee To be codified as: Tenn. Code Ann. § 39-15-218	Abortion facilities most post a sign informing the woman about the possibility of abortion pill reversal. Forty-eight hours prior to a medication abortion, women must be informed by telephone or in person about the possibility of abortion pill reversal. There is also a written notice with the information after a woman takes the first abortion pill in the discharge instructions. The information is also included in the informed consent materials in print and website.	Not in effect. Temporary restraining order issued in <i>Planned Parenthood of Tenn. & N. Miss. v. Slatery</i> , No. 3:20-cv-00740, 2020 U.S. Dist. LEXIS 179283 (M.D. Tenn. Sep. 29, 2020).	
Utah To be codified as: Utah Code Ann. §§ 76-7-305 (2)(a)(D); 76-7-305.5 (5)(d)(e)	A woman must be informed of the options and consequences of aborting a medication-induced abortion at least 72 hours prior to the abortion. The Department of Health must publish printed materials containing information about the options and consequences of aborting a medication-induced abortion and include a statement saying that a viable pregnancy is still possible after taking mifepristone	In effect	https://mihp.utah.gov/wp-content/uploads/2017/Final.pdf

ⁱ The Arkansas written notice states: "Notice to Patients Having Medication Abortions That Use Mifepristone: Mifepristone, also known as RU-486 or Mifeprex, alone is not always effective in ending a pregnancy. It may be possible to reverse its intended effect if the second pill or tablet has not been taken or administered. If you change your mind and wish to try to continue the pregnancy, you can locate immediate help by searching the term "abortion pill reversal" on the internet."