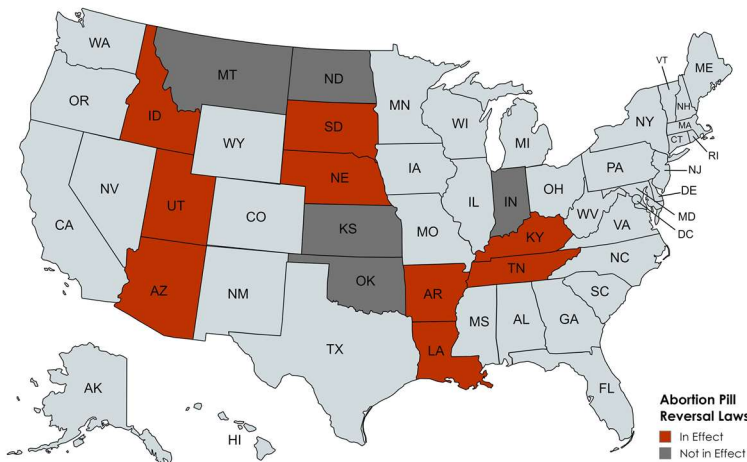


State Laws on Abortion Pill Reversal (APR) Information

March 5, 2024

An informed consent law requires abortion facilities to inform a woman prior to, or soon after, taking the first drug in a two-step process of a chemical abortion, that it may be possible to reverse the effects of the abortion. The first step of a chemical abortion involves taking a drug called "Mifepristone," followed by a drug called "Misoprostol." It is possible to reverse the abortion prior to taking the second drug, but it is important to tell the woman that time is of the essence--that action must be taken usually within 24 hours of taking the first drug.

Currently, fourteen (14) states have enacted laws requiring this information to be provided.



States with Laws regarding Abortion Pill Reversal (APR):

1. Arizona*
2. Arkansas
3. Idaho
4. Indiana**
5. Kentucky
6. Montana**
7. Nebraska
8. North Dakota**
9. Oklahoma**
10. South Dakota
11. Tennessee
12. Utah
13. Louisiana
14. Kansas**

* A previous APR law was repealed following legal action and was replaced with weaker language in accordance with the consent agreement.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 due to litigation.

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Abortion Pill Reversal (APR) Information Laws

STATE	INFORMATION	STATUS	WEBSITE LINK
<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 and https://azdhs.gov/prevention/womens-childrens-health/informed-consent/index.php#right-to-know-informed-decision</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>https://www.healthy.arkansas.gov/images/uploads/pdf/2020_Directory.pdf</p>
<p>Idaho To be codified as Idaho Code § 18-609 (f) (2018)</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>https://publicdocuments.dhw.idaho.gov/WebLink/DocView.aspx?id=3890&dbid=0&repo=PUBLIC-DOCUMENTS</p>

STATE	INFORMATION	STATUS	WEBSITE LINK
<p>Indiana Ind. Code Ann. § 16-34-2-1.1(1)(c) (2021)</p>	<p>The woman is informed orally and in writing about the possibility of abortion pill reversal 18 hours prior to the abortion.</p>	<p>Not in effect. A preliminary injunction was issued in <i>All-Options Inc., et al, v. Attorney General of Indiana</i>, No. 1:21-cv-01231-JPH-MJD, (U.S. District Court, Southern District of Indiana, Indianapolis Division, 6/30/21).</p>	
<p>Kansas To be codified as 65- 6708. K.S.A. 65-6701 and K.S.A. 65-6708 through 65-6715</p>	<p>Abortion facilities, any private office, freestanding surgical outpatient clinic, hospital, pharmacy, or other facility or clinic where medication abortions are provided are to post a conspicuous sign informing the woman about the possibility of abortion pill reversal. Information is provided verbally and in written informed consent materials 24 hours prior to the medication abortion on the possibility of abortion pill reversal (APR), where it can be obtained, and contact information for assistance. The same verbal and written information must be given to the woman after a physician dispenses or provides an initial administration of mifepristone.</p> <p>Information on APR will be on the state department of health website.</p> <p>The bill's provisions will be included in the Woman's-Right-to-Know Act.</p>	<p>Not in effect. A preliminary injunction was issued in <i>Hodes & Nausser v. Kobach</i>, No. 23CV03140 (Kan. D. Ct, 10/30/23).</p>	

STATE	INFORMATION	STATUS	WEBSITE LINK
Kentucky KRS § 311.774 (2019)	<p>Information is provided verbally and in the written informed consent materials on the possibility of abortion pill reversal (APR), where it can be obtained, and contact information for assistance.</p> <p>In 2022, the legislature enacted a law providing that information on APR be on the website of the Kentucky Cabinet for Health & Family, and that the information be subject to annual review to update informed consent materials, the healthcare providers who are knowledgeable of the reversal practice, and information on medical studies. The 2022 provision of the law has been challenged and is currently not in effect.</p> <p>See: <i>Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, and Kentucky, Inc. v. Daniel Cameron et al.</i>, Civil Action No. 3:22-cv-198-RGJ (W.D. Ky, April 21, 2022).</p>	In effect.	
Louisiana La. Rev. Stat. Ann. § 40:1061.11.1	<p>A disclosure statement is attached to the prescription for the chemical abortion misoprostol, or to the package containing misoprostol for the woman to take at home, or to discharge instructions given to the woman if prescription is sent to pharmacy, telling her about the possibility of abortion pill reversal.</p>	In effect.	
Montana Mont. Code Ann. § 50-20-707	<p>Information is provided on an informed consent form about the possibility of abortion pill reversal, and assistance and information are provided in the state-prepared materials. The woman is specifically told about qualified medical professionals that are knowledgeable of the reversal protocols.</p>	Not in effect. Permanent injunction issued in <i>Planned Parenthood of Montana v. State</i> , No. DV-21-00999, (13th Jud. Dist., Yellowstone Cty., Mont. Feb. 29, 2024).	
Nebraska Neb. Rev. Stat. Ann § 28-327 (2019)	<p>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 state 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.</p>	In effect.	https://dhhs.ne.gov/MCAH/InformedConsent-IfyouarePregnantENG.pdf

STATE	INFORMATION	STATUS	WEBSITE LINK
<p>North Dakota to be codified as: N.D. Cent. Code § 14-02.1-02 (b)(5); 14-02.1-02.1 (2019)</p>	<p>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.</p>	<p>Not in effect. The state has agreed to delay enforcement pending litigation. A preliminary injunction was issued in <i>AMA v. Stenebjem</i>, 412 F. Supp. 3d 1134 (D.N.D. 2019).</p>	<p>Not available yet: http://www.ndhealth.gov/familyhealth/Preg_Abortion_booklet_final.pdf</p>
<p>Oklahoma Okla. Stat. tit. 63, § 1-756 (2019)</p>	<p>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 abortion pill reversal information after a woman takes the first abortion pill. The information is also included in the informed consent materials in print and the Oklahoma Board of Medical Licensure and Supervision website.</p>	<p>Not in effect. Temporary restraining order issued in <i>Tulsa Women's Reproductive Clinic v. Hunter et al</i> (Okla. County Dist. Ct, Oct. 29, 2019).</p>	<p>http://www.awomansri.gh.org/resources.php</p>
<p>South Dakota S.D. Codified Laws § 34-23A-10.4 (2016)</p>	<p>The Department of Health must develop and maintain a multi-media website that covers information on discontinuing a drug-induced abortion. In 2021, the law was amended to include providing information on the possibility of abortion pill reversal in the written discharge papers.</p>	<p>In effect.</p>	<p>http://doh.sd.gov/abortion/induced-abortion-methods-risks.aspx?</p>

STATE	INFORMATION	STATUS	WEBSITE LINK
<p>Tennessee Tenn. Code Ann. § 39-15-218 (2020)</p>	<p>Abortion facilities must 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. Discharge instructions, given to the woman after she has taken the first abortion pill, will also contain this information. The information is also included in the informed consent materials in print and on the Department of Health website.</p>	<p>In effect. After the <i>Dobbs</i> decision, a court stayed the district court's injunction previously issued in <i>Planned Parenthood Tenn. & N. Miss. v. Slattery</i>. See: <i>Memphis Center for Reproductive Health v. Herbert H. Slattery III</i>, No. 20-5969 (6th Cir. June 28, 2022).</p>	
<p>Utah To be codified as: Utah Code Ann. §§ 76-7-305 (2)(a)(D); 76-7-305.5 (5)(d)(e) (2017)</p>	<p>Prior to a medication-induced abortion, a woman must be informed of options if she changes her mind that mifepristone alone is not always effective in ending her at least 72 hours prior to the abortion.</p> <p>The Utah Department of Human Services must publish printed materials containing information about the options of a medication-induced abortion and include a statement saying that a viable pregnancy is still possible after taking mifepristone.</p>	<p>In effect.</p>	<p>https://mihp.utah.gov/wp-content/uploads/2017_Final.pdf</p>
<p>West Virginia <i>W. Va. Code § 16-2I-2 (a)(4) (2021)</i></p>	<p><i>The woman is told by telephone or in person about the possibility of abortion pill reversal. The information is also provided in the discharge papers and the state-prepared materials and website.</i></p>	<p><i>Not in effect. This law was rendered ineffective by the W.V. Legislature with passage of the Unborn Child Protection Act, W. Va. Code § 16-2R-1 et seq.</i></p>	

¹ 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."