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ABORTION POLICIES IN DIFFERENT STATES
by Irene Chiu

Abortion policies vary among different states in the United States. Only twelve states have laws similar to the federal Freedom of Access to Clinic Entrances Act (FACE) that was passed in 1994. These laws were passed in response to clinic violence and protect access to clinics that provide reproductive health services. The states which have passed such laws are California, Connecticut, Kansas, Maine, Maryland, Massachusetts, Minnesota, Nevada, North Carolina, Oregon, Washington, and Wisconsin. Colorado has enjoined the clinic access law and New York has such a law pending.

The majority of states require either parental consent or parental notification before a minor may obtain an abortion. There are twelve states not requiring parental involvement including New York, Connecticut, Florida, Hawaii, Maine, New Hampshire, New Jersey, Oklahoma, Oregon, Texas, Vermont and Washington. This requirement may substantially delay the minor’s ability to obtain an abortion therefore pushing the abortion into later term and raising the cost.

There are requirements in most states for a delay following state-

directed counseling before a woman may obtain an abortion (so-called “waiting periods”). This requirement may cause unnecessary anxiety to the woman and is an excessive psychological burden. In states where there are few clinics that provide abortion services, women often have to travel great distances and then must wait some period of time before returning for the abortion. The emotional and economic cost can be a substantial hindrance for some women.

Even if abortions are allowed free of restrictions, many women will face financial difficulties. To compound this problem, there are restrictions applied to insurance coverage of abortion. While Kentucky, Missouri, North Dakota, and Idaho prohibit insurance coverage of abortion, ten other states explicitly ban insurance coverage of abortions when public employees are insured. Moreover, most states fund abortions for Medicaid recipients only when the woman’s life is endangered or in the case of rape or incest.

In eleven states, so-called “partial birth” abortion bans are in effect, including Alabama, Georgia, Indiana, Kansas, Mississippi, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, and Virginia. Almost all states prohibit abortion after viability or a

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2 Although direct parental involvement is not required, the minor is required to receive counseling that consists of a discussion with her parents.
3 The minor may choose to receive counseling rather than acquiring parental consent or court authorization.
4 There is an exception for extreme circumstances such as where the woman’s life is in danger or the pregnancy is a result of rape or incest.
5 A minority of states must use their own funds to pay for medically necessary abortions sought by Medicaid recipients.
specified point in pregnancy unless the woman's life in endangered.\textsuperscript{6}


\textsuperscript{1} 29 U.S.C. §201.