

# REPRODUCTIVE FREEDOM **FOR** ALL

**TO: Interested Parties**

**FROM: Reproductive Freedom for All**

**RE: Resources for Supreme Court Case on Emergency Abortion Care**

**DATE: April 17, 2024**

On April 24, the U.S. Supreme Court will hear a case about whether to protect emergency abortion care—or let states continue to block access to life-saving care, no matter the circumstances.

## **WHAT IS THE EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT (EMTALA)?**

This case is centered around the Emergency Medical Treatment and Active Labor Act (EMTALA), which is a federal law that ensures people can access emergency medical care, even if they do not have insurance or are otherwise unable to pay for it.

It is a nearly 40-year-old federal law guaranteeing everyone treatment for emergency medical conditions, nationwide. But anti-abortion extremists are fighting to exclude pregnant people from this protection and force doctors to turn away from pregnant people in need of emergency care.

## **WHY DOES THIS MATTER?**

Because of abortion bans, some pregnant people are being denied care until they're near death.

- **Anya Cook had a pregnancy complication that put her life at risk** — but because of an extreme abortion ban in her state, doctors could not give her the care she needed. *“The doctor said... ‘if I intervene, I could possibly be arrested’... Getting pregnant now feels like a death sentence.”* —Cook in [the Washington Post](#).
- **Shanae Smith-Cunningham needed an emergency abortion** for a nonviable pregnancy — but Florida’s laws meant doctors couldn’t help her. They advised her to travel to New York for the care she needed. *“They are playing with people’s lives with this law,”* —Smith-Cunningham in [the Washington Post](#).
- **Nicole Blackmon was told her pregnancy wasn’t viable and was potentially fatal.** She was forced to continue the pregnancy due to Tennessee’s abortion ban. *“I was condemned to endure both physical and emotional torture, knowing that I was going to deliver a stillborn. How can Tennessee politicians stand by while this happens to people like me?”* —Blackmon [in NBC News](#).

- **Kelsie Norris-De La Cruz was 25 years old when she was diagnosed with an ectopic pregnancy.** Because of Texas' abortion ban, doctors initially couldn't treat her despite her condition threatening her life and fertility. *"I was scared I was going to ... lose my entire reproductive system if they waited too long."* –[Norris-De La Cruz in the Washington Post](#).

## WHAT NOW?

If anti-abortion extremists win this case, they'll be able to stop doctors from providing emergency medical care to pregnant people.

**Medical professionals, including the [American Medical Association \(AMA\)](#) and the [American College of Obstetricians and Gynecologists](#), have underscored that doctors must be able to provide their patients with the emergency abortion care they need.** As AMA explained, withholding that care could mean that "pregnant patients will suffer and potentially die, or experience life-long complications."

These extremists want to ban all abortion everywhere. They know exactly how dangerous and cruel their bans are, but they simply do not care what the costs to real people's health and well-being are. They don't care if pregnant people are denied care that could save their lives.

The bottom line is this: A patient's health should always come first. Every pregnancy is different, and each situation can change rapidly. Politicians have no place interfering in decisions about medical care. The Supreme Court must do the right thing and ensure that hospitals are required to provide emergency abortion care.

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