



## **Victory in Indiana: Court Blocks Requirement Forcing Health Care Providers to Share Misleading Information about “Reversing” an Abortion**

*Decision comes a little over a month after pregnancy resource center, health care providers challenge several recently enacted anti-abortion measures*

06.30.21 – (PRESS RELEASE) Earlier today, a federal district court [blocked](#) an Indiana measure forcing health care providers to share false and misleading information with their patients about “reversing” a medication abortion, a bogus claim that may lead some patients to end a pregnancy based on the mistaken belief that its effects can later be undone.

There is no scientific evidence that a medication abortion can be reversed after a patient has taken the first medication, and leading medical organizations oppose laws that require healthcare providers to inform their patients of this false and misleading claim. Forcing providers to give their patients this misinformation is both unethical and unconstitutional; courts in North Dakota, Oklahoma, and Tennessee have blocked similar restrictions.

**“We are thrilled that the judge has blocked implementation of this law until we have a chance to fully challenge it in court,”** said Parker Dockray, Executive Director of All-Options. **“Providers should not be forced to give patients inaccurate and dangerous misinformation about “reversing” an abortion. Pregnant people deserve better – they need accurate information about all their options, and support to make the decisions that are right for them.”**

The lawsuit – [All-Options v. Attorney General of Indiana](#) - also challenges a 2021 ban on patients’ ability to obtain medication abortion via telemedicine. A nearly identical ban is already being considered by a federal district court judge in separate litigation – *Whole Woman’s Health Alliance v. Rokita* - [challenging](#) a host of abortion restrictions in Indiana.

**“We celebrate the court’s decision to uphold evidence-based practices for abortion care in Indiana,”** said Amy Hagstrom Miller, President and CEO of Whole Woman’s Health Alliance. **“This**

**ruling is a relief for our providers and our patients. The freedom to offer counseling rooted in science and safety is of the utmost importance – not only to people seeking care, but also to eradicate the misinformation and stigma around abortion in Indiana.”**

These are not the only ongoing legal challenges to the myriad obstacles and indignities Hoosiers face when they need an abortion.

- Patients and health care providers are challenging Indiana’s restriction forcing health care providers to dispose of embryonic and fetal tissue from miscarriage and abortion patients like they would a deceased person -- either through interment or cremation.
- All-Options, Whole Woman’s Health Alliance, and other health care providers are challenging a host of abortion restrictions, including (1) Targeted Regulation of Abortion Provider (TRAP) laws; (2) laws that deny abortion patients the benefits of scientific progress by placing medically-unnecessary limitations on the use of medication abortion; (3) biased counseling and waiting-period laws; and (4) laws that criminalize abortion care. Trial was held in that challenge in March 2021.
- An individual health care provider is challenging a law that would have banned the standard method for abortion care starting in the earliest weeks of the second trimester. A federal district court blocked that ban in 2019.
- Planned Parenthood Great Northwest, Hawai’i, Alaska, Indiana, Kentucky (PPGNHAIK) is challenging a law providing that even if a court exempts a minor from Indiana’s parental consent requirement because it determines the minor is mature, a parent must still be notified of the minor’s abortion - thus allowing a practical veto of the minor’s decision. A federal district court blocked that requirement in 2017. The Seventh Circuit Court of Appeals has twice affirmed the injunction, and the State has twice petitioned the Supreme Court to review the case. An injunction blocking the law remains in effect.
- PPGNHAIK is also challenging invasive reporting requirements that single out abortion providers, a restriction which has been blocked.

**“Today was a big win for people across Indiana because access to accurate and honest information about abortion prevailed. This law is meant to shame and confuse patients seeking access to a safe, legal medical procedure,”** said Chris Charbonneau, CEO of Planned Parenthood Great Northwest, Hawai’i, Alaska, Indiana, Kentucky. **“The bottom line is abortion is still legal in Indiana, and we must do everything within our power to protect access to reproductive health care. The courts made the right decision and further protected our patients’ ability to trust that we are providing them with scientific and evidence-based medical information.”**

**“Today’s ruling ensures pregnant Hoosiers won’t have to receive false and harmful information from their doctors,”** said Sneha Shah, Litigation Counsel at the Lawyering Project. **“People in Indiana face far too many state-sanctioned restrictions when they need an abortion. Today’s decision makes clear that the State cannot put abortion patients in harm’s way. We will continue to stand with our partners to ensure Indianans can get the high-quality, dignified care they need and deserve.**

**“Today’s decision is a win for providers and patients, who deserve the highest quality care we can offer, including factual, honest counseling. Indiana’s biased and scientifically unsound ‘counseling requirement’ would have forced providers to lie to their patients and parrot the harmful rhetoric of anti-abortion politicians,”** said Alexis McGill Johnson, president and CEO, Planned Parenthood Federation of America. **“I applaud Judge Hanlon’s decision to side with science and block this medically inaccurate, insulting, and potentially dangerous law.”**

**“Hoosiers should be able to get the health care they need, and doctors – not politicians – should provide medical advice to patients,”** said Ken Falk, legal director at the ACLU of Indiana. **“Yet this law would put words in the mouths of health providers and force them to share dangerous, false and misleading information about abortion reversal. Judge Hanlon’s decision is an affirmation that politicians cannot ignore the First Amendment rights of medical providers. Patients rely on their providers to help them make informed medical decisions and no one benefits from forcing providers to share misinformation.”**

The challenge to these measures was [filed](#) in May 2021. Plaintiffs include [All-Options](#), [Whole Woman’s Health Alliance](#), [Planned Parenthood Great Northwest](#), [Hawai‘i](#), [Alaska](#), [Indiana](#), [Kentucky](#), [Women’s Med Group Professional Corporation](#) and individual physicians. They are represented by [the Lawyering Project](#), [Planned Parenthood Federation of America](#), [ACLU of Indiana](#), [ACLU Foundation](#), and Katherine D. Jack of the Jack Law Office LLC.

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