

FDA v. Alliance for Hippocratic Medicine



Americans can breathe a little easier knowing that a case to restrict access to one of the most common forms of abortion was thrown out by the Supreme Court. On June 13th, 2024, the Supreme Court came to a unanimous decision in *FDA v. Alliance for Hippocratic Medicine* to throw out a lawsuit that sought to restrict access to mifepristone.

The plaintiffs, made up of anti-abortion individual doctors and medical groups,

argued that mifepristone is unsafe, and that the FDA regulations applied to this medication are flawed. These claims have been refuted by experts from the FDA, the American College of Obstetricians and Gynecologists, and the American Medical Association whom all highlighted the large body of evidence showing that mifepristone is safe and effective.¹ All nine judges concluded that the plaintiffs, regardless of these arguments, were not able to show that they were being harmed by the Federal Drug Administration's (FDA) actions in the first place, and therefore, had no legal right to bring forth a lawsuit against the FDA.

The Supreme Court's decision to throw out this lawsuit means that access to mifepristone and the regulations defining this access remain unchanged at the federal level. It is important to note, however, that access to this medication is still regulated at the state level.

Research shows that reproductive coercion is a commonly used tactic by abusers, and that pregnancy puts victim-survivors at an increased risk for violence.² Reproductive coercion can take many forms, but often includes an abuser controlling or denying access to contraception, intentionally exposing partners to STIs, or forcing pregnancy on the victim-survivor.³ According to the National Network to End Domestic and Sexual Violence, women with unintended pregnancies are two to four times more likely to experience physical violence than women with planned pregnancies.⁴ Women in the US are also more likely to be murdered during pregnancy

¹ SCOTUS blog. *Supreme Court preserves access to abortion pill*. Retrieved from:

<https://www.scotusblog.com/2024/06/supreme-court-preserves-access-to-abortion-pill/>

² National Network to End Domestic Violence. *Reproductive Coercion and the Impact on Survivors of Domestic Violence*. Retrieved from: https://nnedv.org/wp-content/uploads/2022/02/Repro-Coercion_FinalENG.pdf

³ Ibid.,

⁴ Ibid.,

or soon after childbirth than to die from the three leading obstetric causes of maternal death.⁵ In light of this pervasive and dangerous issue, it is crucial that our governments protect reproductive freedom and increase access to all reproductive care.

In Nevada, lawmakers and advocates have been hard at work to implement and protect robust protections for reproductive freedom since the overturning of *Roe v. Wade*. Thanks to their efforts Nevadans have the right to explore their options for up to twenty four weeks of pregnancy, know that their consumer health data will not be shared, and no Nevadan will be disciplined or disqualified from licensure for the provision of legal abortion care.⁶

Access to abortions makes up an important component of reproductive freedom for victim-survivors, and mifepristone is one of the most commonly used medications to obtain an abortion. In 2023, it was estimated by the Guttmacher Institute that roughly 63% of abortions were completed through medication.⁷ The Supreme Court's decision is a win worth celebrating, as it assures that victim-survivors can still access vital medical care. Despite this win, however, it remains important that advocates, victim-survivors, and communities not become complacent and continue to fight for accessible and inclusive reproductive freedom.

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⁵ BMJ. *Homicide is a leading cause of death in pregnant women in the US*. Retrieved from: <https://www.bmj.com/company/newsroom/homicide-is-a-leading-cause-of-death-in-pregnant-women-in-the-us/>

⁶ Center for Reproductive Rights. *Nevada*. Retrieved from: <https://reproductiverights.org/maps/state/nevada/>

⁷ The Guttmacher Institute. *Medication Abortion Accounted for 63% of All US Abortions in 2023-An Increase from 53% in 202*. Retrieved from: <https://www.guttmacher.org/2024/03/medication-abortion-accounted-63-all-us-abortions-2023-increase-53-2020>