

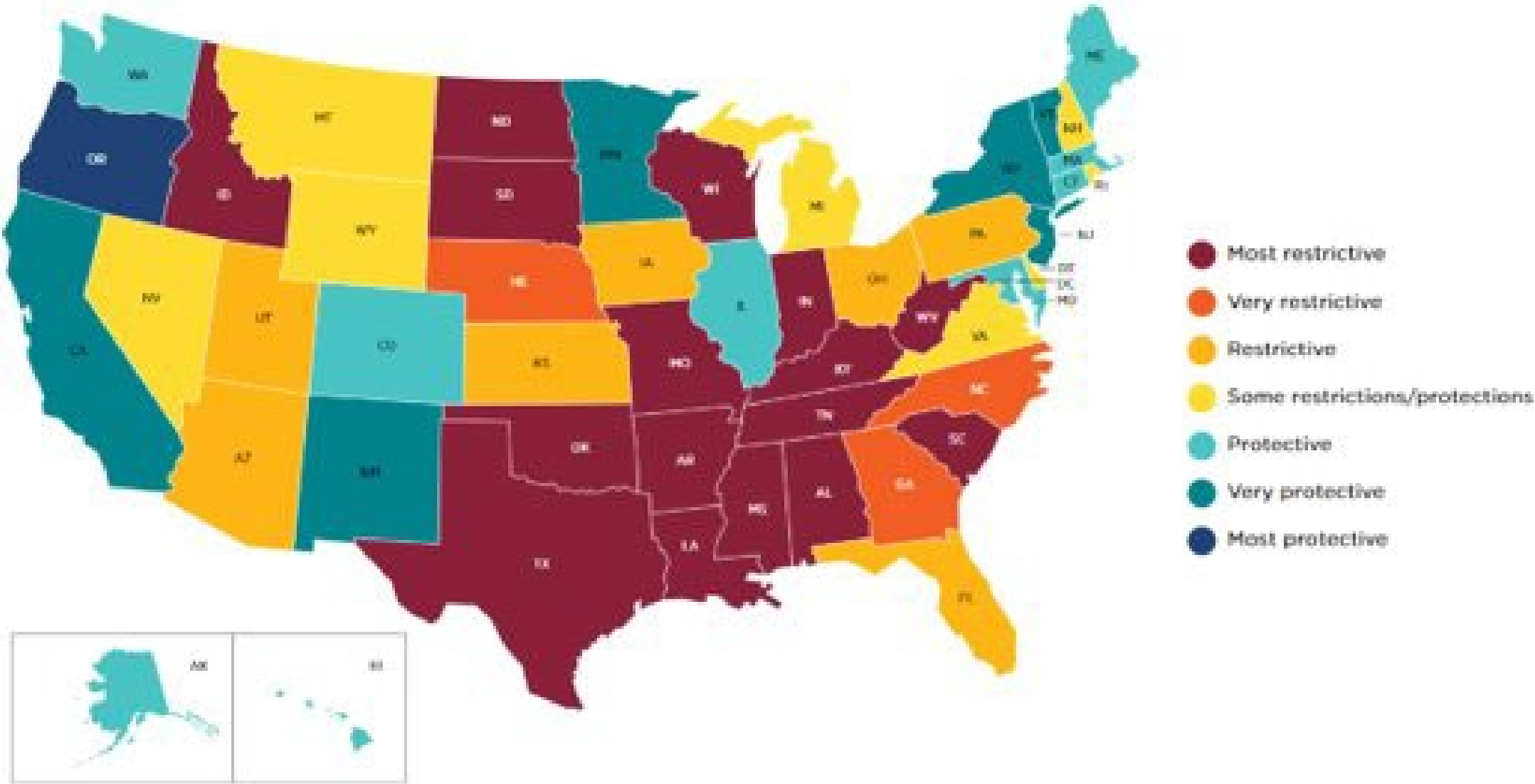


**GUTTMACHER INSTITUTE**

# **Changes in State Laws on Access and Use of Reproductive Health Data**

**November 30, 2023**

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# Bans in Early Pregnancy

- States have continued to efforts at banning abortion through bans in early pregnancy
  - 6-week bans- Florida, South Carolina
  - 12-week bans- North Carolina, Nebraska
  - They faced significant political headwinds including vetoes, veto overrides, and more



# What's to Come: Bans on Travel

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- As more and more patients are required to travel for care, some aim to restrict interstate travel for abortion care
- Idaho statute related to "trafficking" – criminalizes helping a young person leave the state for abortion care
- Local measures in Texas attempting to outlaw the act of transporting another person along their roads for an abortion

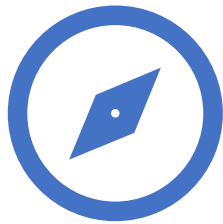


A crowd spills into a hallway during a council meeting in Llano, Tex., where members considered whether to further limit abortion access. (Christopher Lee/for The Washington Post)

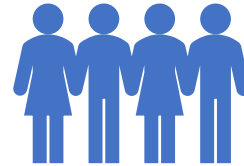
# Models of Expanded Protection and Access

Health Care

**Reproductive Health Equity Fund distributes \$5M to increase Oregon abortion access**



Patient Access



Supporting providers

**Gov. Whitmer strikes 1931 abortion ban from Michigan constitution**

Politics Apr 5, 2023 2:45 PM EDT



Legal Protections

**Maryland Department of Health will begin allocating abortion training funds in June**

WYPR - 88.1 FM Baltimore | By Scott Maucione  
Published March 28, 2023 at 4:31 PM EDT





# Models of Expanded Protection and Access

PROVIDENCE, R.I. (AP) — Rhode Island Gov. Daniel McKee signed a bill into law Thursday that would let state funds be used to pay for health insurance plans that cover state workers and Medicaid recipients seeking abortions.



## Insurance coverage



## Patient Privacy

 HIPAA Journal

Washington Close to Enacting My Health My Data Act to Protect Health Data Privacy

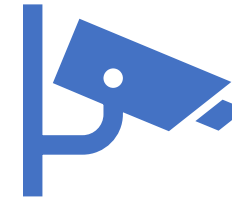
Washington state is on the brink of enacting a new law that will considerably expand privacy protections for consumer health data in the...

Apr 12, 2023

California allocates \$20M toward abortion clinics' physical, digital security

 Kate Wolffe

Wednesday, January 25, 2023 | Sacramento, CA



## Security

April 27, 2023, 1:07 PM EDT

# Washington Shields Abortion Data in First-in-Nation Privacy Law



**Andrea Vittorio**  
Reporter



- Law targets range of health-related data on apps, websites
- Also protects location records revealing health-care visits

Washington has adopted a first-of-its-kind state law with sweeping safeguards for consumer health data collected by companies from telehealth platforms to period-tracking apps, as well as location records that could reveal visits to abortion clinics and other health-care facilities.

Gov. Jay Inslee, a Democrat, signed the [legislation](#) into law Thursday. The measure, known as the My Health My Data Act, was introduced as part of a local legislative effort to protect abortion access after the US Supreme Court overturned *Roe v. Wade* last year.

Washington's new privacy law seeks to protect consumer location data, and restrict the gathering and sharing of health data for advertisements or other purposes without proper permission from consumers. It also gives consumers privacy rights over personal health data that companies collect about them, including the ability to ask for its erasure.

## Documents

[Legislation](#)

## Related Stories

[New Law Buffers California Companies From Abortion Data Requests](#)

Sept. 28, 2022, 5:12 AM EDT

[Tech Firms Brace For Legal Mess Of Abortion Data Subpoenas](#)

July 7, 2022, 9:00 AM EDT

[Washington To Block Anti-Abortion States From Accessing ID Data](#)

June 25, 2022, 2:07 PM EDT

[FTC Warns Health App Makers To](#)



## Illinois' first-of-its-kind legislation banning automatic license plate readers from tracking those seeking abortions from out-of-state

Jun 8, 2023 Updated Jun 8, 2023 0

Oct. 9, 2023, 1:46 PM EDT

## California Beefs Up Privacy For Immigrants, Abortion Seekers



**Titus Wu**  
correspondent



**Bloomberg Law**

## California Expands Access and Protections for Reproductive Health Care

Published: Sep 27, 2023



Office of Governor  
**GAVIN NEWSOM**

### PROTECTING REPRODUCTIVE HEALTH INFORMATION:

- **Assembly Bill 254** by Assemblymember Rebecca Bauer-Kahan (D–Orinda) protects reproductive and sexual health digital data included in personal health tracking applications.
- **Assembly Bill 352** by Assemblymember Rebecca Bauer-Kahan (D–Orinda) enhances privacy protections for electronic medical records related to abortion, gender affirming care, pregnancy loss, and other sensitive services, closing a major loophole in privacy protections for people traveling to California for abortion and gender affirming care.

**ACLU**  
Massachusetts

**92%**

**Massachusetts voters support passing a law to prohibit the sale of personal location information.**

**YOUR LOCATION**  
It's None of Their Business



manatt

## State Abortion Shield Laws: Key Findings and Infographic

Date: 09.26.23

Table 1: Scope of State Abortion Shield Laws

State	Abortion	Reproductive Health Care Services	Protected Health Care Services	Protection From Out-of-State Investigations/Legal Proceedings	Protections for Providers	Additional Protections for Those Seeking In-State Care
AZ		X		X	X	
CA	X			X		X
CO			X	X	X	X
CT		X		X	X	X
DE		X		X	X	X
DC		X			X	
HI		X		X	X	X
IL			X	X	X	X
ME		X		X	X	
MD	X		X	X	X	X
MA			X	X	X	X
MI		X		X		

State	Abortion	Reproductive Health Care Services	Protected Health Care Services	Protection From Out-of-State Investigations/Legal Proceedings	Protections for Providers	Additional Protections for Those Seeking In-State Care
MN		X		X	X	X
NV		X		X	X	
NJ		X		X	X	X
NM			X	X	X	X
NY		X*	X*	X	X	X
NC		X		X	X	
OR		X		X	X	
PA		X		X	X	
RI		X		X	X	
VT			X	X	X	X
WA			X	X	X	X

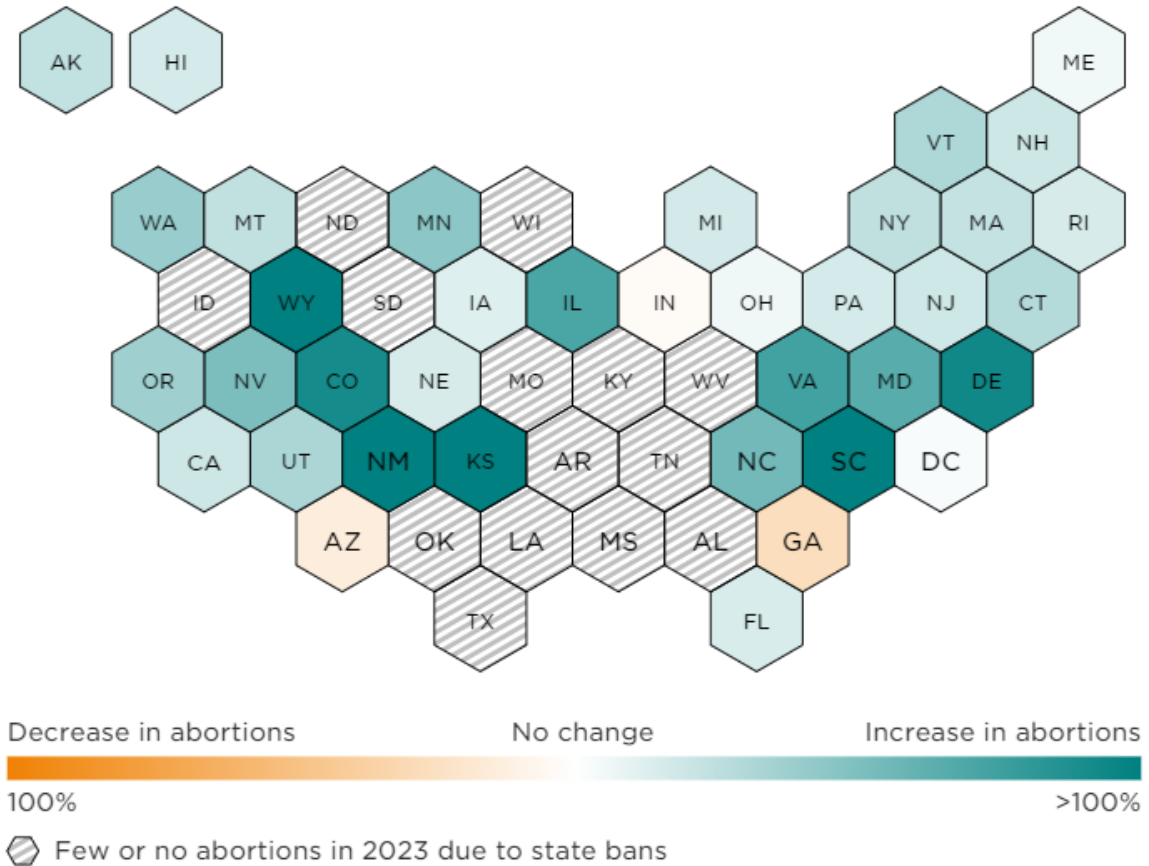
\* Most provisions are specific to legally protected health care services or reproductive health care services, while the legal claim for unlawful interference with protected rights is more broadly applicable to 'lawfully provided medical care.'

- Guttmacher's Monthly Abortion Provision Study produces national and state estimates of the number of abortions provided within the formal health care system
- Abortion rates were increasing pre-*Dobbs*, and this data shows that trend has continued – even while 14 states banned abortion
- **States bordering ban states saw sharp increases in patients, indicating widespread travel for care**

### Estimated change in the number of abortions provided by the formal US health care system, 2020 to January-June 2023

Hover over any state to display change.

☒ Toggle to see % change



2020 abortion counts are divided by two to represent a six-month period. This graphic will be updated with a full-year comparison once data are available.

# Impacts of bans on people wanting to continue their pregnancies

*The Washington Post*  
*Democracy Dies in Darkness*

**ABORTION**   Tracking abortion laws by state   Before Roe   Roe v. Wade overturned   Dobbs v. Jackson Women's Health

## Two friends were denied care after Florida banned abortion. One almost died.

New abortion restrictions have disrupted the standard of care for a pregnancy complication both women experienced late last year



By [Caroline Kitchener](#)

Updated April 10, 2023 at 11:30 a.m. EDT | Published April 10, 2023 at 6:00 a.m. EDT

PUBLIC HEALTH

### In Oklahoma, a woman was told to wait until she's 'crashing' for abortion care

APRIL 25, 2023 · 10:10 AM ET



Selena Simmons-Duffin



### 20 women are now suing Texas, saying state abortion laws endangered them

NOVEMBER 15, 2023 · 11:31 AM ET



Selena Simmons-Duffin



# Impacts of bans beyond abortion patients

## Abortion ban states see steep drop in OB/GYN residency applicants

By [Fenit Nirappil](#) and [Frances Stead Sellers](#)

April 21, 2023 at 6:00 a.m. EDT

**The Washington Post**  
*Democracy Dies in Darkness*

Health

### How abortion bans are undercutting efforts to prevent domestic violence

OB-GYNs are often the first or only doctors to learn if a patient is facing intimate partner violence. As they leave places with abortion bans, domestic violence victims are feeling the impacts.

By Jennifer Gerson, Shefali Luthra

Published November 13, 2023,  
6:00 a.m. ET

**The 19th**

### Maternal care deserts overlap with lack of abortion access, analysis shows

Lack of maternal care affects millions of women.

By [Nicole Wetsman](#), [Dr. John Brownstein](#), and [Dr. Benjamin Rader](#)

August 1, 2023, 12:03 PM

**abc NEWS**

### Medical students in states with abortion bans have trouble getting needed training

JUNE 15, 2023 · 5:04 AM ET

**n p r**

IDENTITY

**The Philadelphia Inquirer**

### Many students applying to colleges are avoiding states that don't support abortion rights

"I barely looked into schools in states where I thought my rights weren't protected," one high school senior said.

ADVERTISEMENT



# Impact of abortion bans on birth rates

## TEXAS ABORTION RESTRICTIONS

### Nearly 10,000 more babies born in nine months under Texas' restrictive abortion law, study finds

This is the first analysis of live births since the law, which banned abortions after about six weeks of pregnancy, went into effect in September 2021.

BY ELEANOR KLIBANOFF JUNE 30, 2023 10 AM CENTRAL

★ THE TEXAS TRIBUNE

## LAW

### After the Dobbs decision, birth rates are up in states with abortion ban states

NOVEMBER 24, 2023 · 5:17 PM ET

HEARD ON ALL THINGS CONSIDERED

By Michael Levitt, Tinbete Ermyas, Ari Shapiro





Abortion rights supporters celebrate winning the referendum on Issue 1, a measure to enshrine a reproductive

AP AP News

## Republican faction seeks to keep courts from interpreting Ohio's new abortion rights amendment

Voters have thrown their support behind abortion rights in races in Ohio, Virginia and elsewhere. Ohio sent the clearest sign of the issue's...

2 weeks ago

# What we know – and what we don't

A REPORTER AT LARGE

## THE POST-ROE ABORTION UNDERGROUND

*A multigenerational network of activists is getting abortion pills across the Mexican border to Americans.*

By Stephania Taladrid

October 10, 2022



vt-digger  
News in pursuit of truth

## The Abortion Pill Case: What's Happened, What's at Stake, What's Next

The case is headed back to the Supreme Court, which will ultimately decide whether a pill used in the most common abortion method should remain widely available. Here is what's at stake.

The New York Times

## Anti-abortion crisis pregnancy centers sue Vermont over reproductive shield law

The law passed this year makes such facilities subject to the state's preexisting false and misleading advertising statutes. It's being challenged by centers in Williston and Brattleboro, who are represented by a national conservative legal advocacy group.

By Sarah Mearhoff

July 25, 2023, 7:42 pm



**GUTTMACHER INSTITUTE**

**Thank you!**

**November 30, 2023**

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