

Multiple US States Submit Amicus Brief in Lawsuit Over Abortion Medication



A coalition of 22 US states has filed an amicus brief opposing a proposed preliminary injunction that would withdraw or suspend the approval of abortion medications Mifepristone and Mifeprex by the US Food and Drug Administration (FDA). The case is in the US District Court for the Northern District of Texas Amarillo Division.

The brief argues that the medications are safe and effective, with the added benefit of promoting access to abortion in rural and underserved communities. The coalition states that withdrawing the FDA's approval of the drug risks undermining the integrity of the FDA approval process for other drugs.

New York Attorney General Letitia James stated that decades of medical research have proven that medication abortion is safe. Access to safe reproductive healthcare could be at risk for millions of Americans because of a baseless lawsuit. She added that action was being taken to protect the reproductive freedoms of people in every corner of the country, particularly in vulnerable communities. She also stated that every time they try to chip away at their rights, they would fight back to protect access to safe abortion care.

The Alliance for Hippocratic Medicine and other similar groups filed a lawsuit against the FDA in November 2022, arguing that the FDA failed to follow its legal obligations to protect girls and women's health, safety, and welfare when it approved the drugs. The plaintiffs moved for a preliminary injunction that would withdraw or suspend the FDA approval of the drugs because they believe they are likely to prevail on their claims that the FDA acted unlawfully when it approved the drugs for medication abortion.

In response, the FDA stated that reversing the approvals would "dramatically harm" public interest and that Mifepristone has "meaningful therapeutic benefit to patients." Mifepristone works by blocking the hormone progesterone, and when used with another drug called misoprostol, it can be used to terminate a pregnancy within ten weeks of the last menstrual period. The FDA claims approximately 5.6 million women have used the drug with negligible adverse effects.

The Alliance Defending Freedom Senior Counsel Erik Baptist, who filed the original complaint on behalf of the Alliance for Hippocratic Medicine, stated that by illegally approving dangerous chemical abortion drugs, FDA officials put women and girls in harm's way, and now it's high time they were held accountable for their reckless actions. He added that science was the FDA's first victim, and women and girls were soon to follow. The counsel urged the court to listen to the doctors they represent who are seeking to protect women from the documented dangers of chemical abortion drugs.

The case is currently in the US District Court for the Northern District of Texas Amarillo Division, and a decision on the preliminary injunction is yet to be made. The outcome of this case will have significant implications for reproductive healthcare and abortion access in the US.

REFERENCES:

US states file amicus brief in abortion medication lawsuit