Abortion Rights and Access: Fact Sheet

In the 1973 Roe v. Wade decision, the U.S. Supreme Court ruled that a woman, in consultation with her physician, has a constitutionally protected right to choose abortion in the early stages of pregnancy. This decision was met with intense opposition and in 1976 the Hyde Amendment was adopted, prohibiting Medicaid coverage for abortion services. Since that time the Hyde Amendment has been reintroduced annually during appropriations (funding cycle) and attached to several bills to ensure that federal funds continue to be restricted for abortion.

In 1992, the Supreme Court upheld the basic right of women to obtain legal, medically-safe abortions in Planned Parenthood v. Casey. However, it also expanded the ability of the states to enact all but the most extreme restrictions on women's access to abortion. States seized the opportunity and have proceeded to introduce a number of restrictive abortion laws limiting and dictating when, where and how women are able to access safe and affordable reproduction health services. TRAP Laws, Targeted Regulation of Abortion Providers, are a preferred tactic for state legislators and serve to:

- Limit the provision of care only to physicians;
- Require clinical practices to adhere to expensive medical hospital standards;
- Require abortion providers to get admitting privileges; and
- Require facilities to have transfer agreements with a local hospital.

Since 2010, 282 abortion-related laws have been introduced, with over 50 in the first half of 2015. Other anti-abortion restrictions consistently presented and passed by state legislatures, and often contrary to sound public health practice, include:

- Requiring ultrasound scans even when not medically indicated;
- Banning funds for health centers that provide affordable birth control and health care to low-income women if the center also provides abortions;
- Banning insurance coverage of abortion of low-income women; and
- Requiring long waiting periods.

Facts about Black Women and Access to Safe Abortion Services

The ongoing battle to restrict access to legal and medically safe abortions disproportionately affects the poor, young and women of color. Black women have been a particularly favorite target for divisive and harmful anti-abortion messages; although Black women only account for 37 percent of all legal abortions, as compared to 55 percent among white women in 2011. Twenty-seven percent of Black people live below the poverty level in the U.S., while 10 percent of white people live in poverty. So the restrictions on the use

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of federal funds to support medical abortions significantly impacts Black women and their families\(^4\). In 2011-12, the median baseline cost of a surgical abortion at 10 weeks gestation was $495; not including other potential costs associated with transportation, childcare and time off work\(^5\).

**Perceptions and Beliefs**\(^6\)

Black women and men overwhelmingly support keeping abortion legal, ensuring access to affordable contraceptives and teaching comprehensive sex education. Almost eight in ten (79%) Black women and men, of all ages and religious persuasion, believe that abortion should remain legal and be available in their communities.

![Survey Results Chart]

- **Rather than making abortion illegal we should help prevent unintended pregnancy with high quality sex education and making birth control available.**
  - Strongly agree: 79%
  - Somewhat agree: 12%
  - Column 1: 91%

- **Regardless of how I personally feel about abortion, I believe it should remain legal and women should be able to get safe abortions.**
  - Strongly agree: 64%
  - Somewhat agree: 16%
  - Column 1: 80%

- **Health insurance should cover abortion to ensure that when a woman needs to end her pregnancy she will be able to seek a licensed, quality health care provider.**
  - Strongly agree: 60%
  - Somewhat agree: 16%
  - Column 1: 76%

- **At least some health care professionals in my community should provide legal abortions.**
  - Strongly agree: 46%
  - Somewhat agree: 25%
  - Column 1: 71%

**Black Women and Men Show Strong Support for Keeping Abortion Legal and Available**

Eighty-five percent of Black women and men agreed with the statement, “*When it comes to abortion, we should trust Black women to make the important personal decisions that are best for themselves and their families.*”

**Moving in the Right Direction**

On July 8, 2015 Representatives Barbara Lee (D-CA), Jan Schakowsky (D-IL), Diana DeGette (D-CO) and Louise Slaughter (D-NY), and more than 70 Members of Congress introduced the Equal Access to Abortion Coverage in Health Insurance (EACH Woman) Act (H.R. 2972), that ensures health coverage for abortion for every woman no matter her income, insurer or where she lives. This bill marks long-needed change for women and their families by creating two important standards for reproductive health:

- First, it respects that every woman should be able to make her own decisions about pregnancy. If a woman gets her health care through the federal government, she will be covered for all pregnancy-related care, including abortion.

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• Second, it prohibits political interference with decisions of private health insurance companies to offer coverage for abortion care.