

National Association of Nurse Practitioners in Women's Health



Statement on 5th Circuit Ruling on Mifepristone with Restrictions to Access

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Thursday, April 13th, 2023 – This morning, the 5th Circuit Court of Appeals issued a partial stay in the federal case challenging FDA approval of Mifepristone, one of two medications used in abortion care. The stay will allow Mifepristone to stay on the market but leaves in place other elements of last week's ruling – restricting the use of the medication to the first seven weeks of pregnancy and no longer allowing prescription via telehealth. These restrictions will remain in place as the case proceeds, which could include being taken up by the U.S. Supreme Court.

Dr. Shawana Moore, President of the Board of Directors of The National Association of Nurse Practitioners in Women's Health, issued the following statement:

"While we are relieved Mifepristone will continue to be available to healthcare providers and their patients, limiting access to the first seven weeks gestation and cutting off telehealth visits and prescribing for Mifepristone is unacceptable. Gestational bans in the first trimester prevent access to safe and evidence-based abortion healthcare. These restrictions and limitations create unnecessary and dangerous barriers to patients.

One in five people confirm their pregnancy at or after seven weeks. Almost two in three young people (ages 15-19) discover pregnancy at six weeks or later.[1] These restrictions are not based on science and will cause harm to patients – especially marginalized communities who already suffer from poorer health outcomes due to the disparities, implicit bias, and structural racism in our society and healthcare system.

We need access to Mifepristone without these restrictions to offer patients high-quality, evidence-based healthcare. Mifepristone is proven to be part of the safest and most effective way to provide care around miscarriage and abortion."

Mifepristone is one of the two medications commonly used in medication abortion care. It was approved by the FDA in 2000 and has been safely used by millions of patients for more than 20 years. It is estimated that medication abortion accounts for more than half of all abortion care nationwide.

NPWH will continue providing evidence-based education and clinical guidance around this topic to WHNPs and other APRNs providing women's and gender-related healthcare.