



## New Abortion Lawsuit Seeks to Expand Access in Oklahoma

*New case highlights telemedicine and advanced practice clinicians as avenues to increasing abortion access*

**11.08.19** (PRESS RELEASE) — Today, the [Center for Reproductive Rights](#) filed [a lawsuit](#) challenging two anti-abortion laws in Oklahoma, both of which are medically unnecessary and limit access to abortion care. This is the sixth lawsuit the Center for Reproductive Rights has filed against Oklahoma in five years.

The laws being challenged in this case are:

- **Telemedicine Ban:** This Oklahoma law bans abortion providers from using telemedicine to provide medication abortion (abortion by pills). Medication abortion has been approved by the FDA since 2000 and is extremely safe—the serious complication rate is less than one-half of one percent, whether provided in-person or by telemedicine. Telemedicine expands access to safe and legal health care.
- **“Physician-Only Law”:** This Oklahoma law bans advanced practice registered nurses (APRNs) from providing abortion care, despite the fact that APRNs can provide early abortion care with the same safety and efficacy as physicians. For this reason, sixteen other states already authorize APRNs to provide early abortion care. Major medical organizations, including the American College of Obstetricians and Gynecologists, the American Public Health Association and the World Health Organization have concluded that laws prohibiting APRNs from providing early abortion services are medically unfounded.

“If we get these senseless laws off the books, we can expand abortion access in Oklahoma, which has very few abortion providers,” said **Nancy Northup, President and CEO of the Center for Reproductive Rights**. “As clinics shutter across the country, telemedicine is a crucial way to keep services available.”

“Telemedicine helps reduce some of the barriers our patients face when accessing abortion care in Oklahoma,” said **Julie Burkhart, Founder and CEO of Trust Women**. “It is a critical component of health care delivery. Telemedicine would increase the available days that qualified practitioners are able to provide abortion care. It will certainly decrease the wait time for our patients. Reproductive access in Oklahoma is scarce; therefore, striking the physician-only law and the telemedicine ban will bring equality to more people in Oklahoma.”

Currently, [18 states](#) have laws that require physicians to be physically present when providing pills for medication abortion. “Physician-only” laws are currently on the books in 34 states. The Center is challenging telemedicine bans in Arizona and Kansas, and physician-only laws in Arizona, Montana, and Virginia. The Montana Supreme Court has preliminarily allowed licensed advanced practice registered nurses to provide abortion care while the case continues at a lower court.

Other Oklahoma cases filed by the Center for Reproductive Rights have challenged the following laws:

- A ban on the standard method of abortion after approximately 14 weeks of pregnancy—known as Dilation & Evacuation—which was temporarily [blocked](#) earlier this week by the Oklahoma Supreme Court. The same case also challenges a law forcing patients to wait 72 hours before they can obtain an abortion.
- A law forcing doctors to tell patients that medication abortion can be “reversed”—a false claim unsupported by scientific evidence. This law was temporarily [blocked](#) last month by a state district court.
- A law that restricted a woman’s access to medication abortion, which was permanently [struck down](#) by the Oklahoma Supreme Court in April 2019.
- An omnibus measure that would have imposed four different new abortion restrictions, including subjecting abortion providers to warrantless searches. This was permanently [blocked](#) by the Oklahoma Supreme court in October 2016.
- A law preventing doctors from providing abortions unless they had admitting privileges at a local hospital. This law was permanently [blocked](#) by the Oklahoma Supreme Court in December 2016.

You can read the full complaint for this case [[HERE](#)]. This case was filed by Emily Nestler, T.J. Tu, and Kirby Tyrrell from the Center for Reproductive Rights along with co-counsel Patterson Belknap Webb & Tyler LLP and local counsel Blake Patton from Walding & Patton PLLC. Plaintiffs in the case are Trust Women Oklahoma City, Dr. Colleen McNicholas, and Bridget Van Treese, an advanced practice registered nurse.

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