

Kansas Court Says Abortion Clinics Can Keep Using Telemedicine

Judge dismisses case in a win for Kansas women

12.14.18 - (PRESS RELEASE) On Monday, a state court found that a law that went into effect January 1 will not prevent doctors from prescribing medication abortions via telemedicine. The decision came down less than 24 hours before the law was enacted. The Center for Reproductive Rights filed a [lawsuit](#) last month over concerns that the language of the bill (House Bill 2028) was intended to forbid the use of telemedicine by abortion providers.

In his order, Judge Theis wrote that the section of the law in question—section 6—has no effect and is “presently inoperative”. At the same time, he confirmed that another Kansas law requiring physicians to be in-person when prescribing pills for abortion is currently blocked and cannot be enforced.

“Today’s decision paves the way for Kansas abortion clinics to expand services to women in remote, underserved areas,” said **Leah Wiederhorn, senior staff attorney for the Center for Reproductive Rights**. “Telemedicine is becoming an increasingly crucial way for people to access healthcare of all kinds, including abortion. In a state like Kansas with only four clinics, telemedicine has the potential to change the landscape of abortion access.”

Currently, [19 states](#) have laws that require physicians to be physically present when providing pills for medication abortion. Medication abortion has been available in the U.S. 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 allows women to be evaluated and treated sooner and expands access to women in rural areas.

This lawsuit was brought on behalf of [Trust Women](#) Wichita, a licensed ambulatory surgical center that has been providing safe, high-quality reproductive health care in Kansas since 2013. Telemedicine has allowed facilities like Trust Women to expand access to services. Before introducing telemedicine at their Wichita clinic, Trust Women was only able to provide abortion care two days a week: they are now able to offer medication abortion services on additional weekdays and on Saturdays.

“Telemedicine has been shown to be a safe and efficient way for women to access medication abortion, stated **Julie Burkhart, Founder and CEO of Trust Women**. “Abortion in Kansas is already highly restricted and difficult for women to access. The court’s ruling will allow us to provide abortion services to women when and where they need it, in the timeliest manner.”

Kansas women already face a number of abortion restrictions—they are required to receive state-mandated information and then wait at least 24-hours before obtaining an abortion. Women on Medicaid and state employees cannot use their health care coverage to obtain an abortion unless the pregnancy is life-threatening, and state agencies and employees are prohibited from providing abortion services.

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