

Wyoming governor signs measure prohibiting abortion pills

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Wyoming Gov. Mark Gordon gives the State of the State address to the Wyoming Legislature on March 2, 2021, inside the state Capitol in Cheyenne, Wy. Late Friday, March 17, 2023, Gordon signed a bill prohibiting abortion pills in the state and also allowed a separate measure restricting abortion to become law without his signature. Credit: Michael Cummo/The Wyoming Tribune Eagle via AP, File

Wyoming Gov. Mark Gordon has signed into law the nation's first explicit ban on abortion pills since they became the predominant choice for abortion in the U.S. in recent years.

Gordon, a Republican, signed the bill Friday night while allowing a separate measure restricting abortion to become law without his signature.

The pills are already banned in 13 states that have blanket bans on all forms of abortion, and 15 states already have limited access to abortion pills. Until now, however, no state had passed a law specifically prohibiting such pills, according to the Guttmacher Institute, a research group that supports abortion rights.

A group seeking to open an abortion and women's health clinic in Casper said it was evaluating legal options.

"We are dismayed and outraged that these laws would eradicate access to basic health care, including safe, effective medication abortion," Wellspring Health Access President Julie Burkhardt said in a statement Saturday.

The clinic, which a firebombing prevented from opening last year, is one of two nonprofits suing to block an earlier Wyoming abortion ban. No arrests have been made, and organizers say the clinic is tentatively scheduled to open in April, depending on abortion's legal status in Wyoming then.

The Republican governor's decision on the two measures comes after the issue of access to abortion pills [took center stage](#) this week in a Texas court. A federal judge there raised questions about a Christian group's effort to overturn the decades-old U.S. approval of a leading abortion drug, mifepristone.

[Medication abortions](#) became the preferred method for ending pregnancy in the U.S. even before the Supreme Court overturned *Roe v. Wade*, the ruling that protected the right to abortion for nearly five decades. A two-pill combination of [mifepristone and another drug](#) is the most common form of abortion in the U.S.

Wyoming's ban on abortion pills would take effect in July, pending any legal action that could potentially delay that. The implementation date of the sweeping legislation banning all abortions that Gordon allowed to go into law is not specified in the bill.

With the earlier ban tied up in court, abortion currently remains legal in the state up to viability, or when the fetus could survive outside the womb.

In a statement, Gordon expressed concern that the latter law, dubbed the Life is a Human Right Act would result in a lawsuit that will "delay any resolution to the constitutionality of the abortion ban in Wyoming."

He noted that earlier in the day, plaintiffs in an ongoing lawsuit filed a challenge to the new law in the event he did not issue a veto.

"I believe this question needs to be decided as soon as possible so that the issue of abortion in Wyoming can be finally resolved, and that is best done with a vote of the people," Gordon said in a statement.

In a statement, Wyoming ACLU advocacy director Antonio Serrano criticized Gordon's decision to sign the ban on [abortion pills](#).

"A person's health, not politics, should guide important medical decisions—including the decision to have an abortion," Serrano said.

Of the 15 states that have limited access to the pills, six require an in-

person physician visit. Those laws could withstand court challenges; states have long had authority over how physicians, pharmacists and other providers practice medicine.

States also set the rules for telemedicine consultations used to prescribe medications. Generally, that means health providers in states with restrictions on abortion pills could face penalties, such as fines or license suspension, for trying to send pills through the mail.

Women have already been traveling across state lines to places where abortion pill access is easier. That trend is expected to increase.

Since the reversal of Roe in June, abortion restrictions have been up to states, and the landscape has shifted quickly. Thirteen states now enforce bans on abortion at any point in pregnancy, and another, Georgia, bans it once cardiac activity can be detected, or at about six weeks' gestation.

Courts have put on hold enforcement of abortion bans or deep restrictions in Arizona, Indiana, Montana, Ohio, South Carolina, Utah and Wyoming. Idaho courts have forced the state to allow abortions during medical emergencies.

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