

Planned Parenthood Challenges Arizona's Limit on Abortion Drug Use

Two women's health care providers have filed a federal lawsuit in Arizona to block new regulations that would limit the use of the most popular abortion-inducing drug in the state, officials disclosed on Wednesday.

The lawsuit, filed on Tuesday in U.S. District Court in Phoenix on behalf of Planned Parenthood Arizona and health center Tucson Women's Center, said the rules, due to go into effect on April 1, are unconstitutional and would severely hamper a woman's right to a non-surgical abortion.

Under rules required by a 2012 abortion law, any medicine used to induce an abortion in Arizona must be administered according to protocol authorized by the U.S. Food and Drug Administration and subject to instructions on the label.

The FDA has approved RU-486, the so-called "abortion pill," for use within seven weeks' gestation. Doctors who have prescribed it later than that have made an off-label use which is not be allowed under Arizona's law.

At issue in the case is a physician's discretion to go "off-label" and use the drug as the doctor believes would be best for a woman seeking to end her pregnancy.

"Arizona politicians have imposed restrictions that go against years of scientific research and doctors' practical experience in yet another effort to block women's access to safe and legal abortion," said Nancy Northup, president of the Center for Reproductive Rights, one of two groups representing the plaintiffs in the suit.

The rules were part of a package of items included in legislation signed into law by Arizona Governor Jan Brewer in 2012, in what has been a continuing effort to seek ways to limit abortions in the southwestern state.

A provision at the heart of the law, banning abortions from 20 weeks gestation except in medical emergencies, was struck down last year by a federal court, but the drug provision remains intact.

Similar rules on non-surgical abortions have been challenged in several states. Last November, the U.S. Supreme Court let stand a ruling that threw out limits on the RU-486 abortion pill in Oklahoma after the rules were challenged by the reproductive rights center.

“It is a shame that when Planned Parenthood can’t win public opinion, they try to use the courts to impose their will and bail out their abortion business,” said Cathi Herrod, president of the conservative Center for Arizona Policy.

In Arizona, the latest figures show that 32 percent of the 13,340 abortions performed in 2012 were non-surgical—all but a small percentage using RU-486, or mifepristone.

Republican lawmakers in the state House this week passed a bill that would allow for unannounced inspections of the nine licensed abortion clinics in Arizona. The legislation still must be approved by the state Senate and signed by Brewer before it can become law.

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