

# [***Abortion rights: New state bans, yet another Supreme Court case and Biden's Florida dream***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BW0-SS21-DY7V-G0W8-00000-00&context=1516831)

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**Body**

(CNN) &#8212; Courts, legislatures, presidential campaigns and everyday Americans are all still grappling with the end of Roe v. Wade two years ago.

In the courts

The US Supreme Court will hear its second abortion-rights case in as many months Wednesday, when it will consider whether hospitals have an obligation under federal law to provide emergency abortions to women who are in medical emergencies.

In legislatures and state governments

A restrictive, six-week abortion law in the once-key electoral state of Florida goes into effect on May 1 and has Democrats hoping to use the issue to make it a battleground once again. The [*new Florida law*](https://www.cnn.com/2024/04/01/politics/florida-six-week-abortion-ban/index.html) has limited exemptions for rape, incest and to protect the life of the mother.

A restrictive 1864 law goes back into effect for the first time in anyone's lifetime in Arizona as early as June 8, according to the state attorney general in an online post trying to explain the law for citizens, although she says things are in "[*flux*](https://www.azag.gov/issues/reproductive-rights/laws)." The state House has so far squashed efforts to repeal the 160-year-old abortion ban, which includes only an exemption to protect the life of the mother, but the [*state Senate has left the door open*](https://cms.cnn.com/2024/04/18/politics/arizona-senate-abortion-ban?brand-site=cnn&language=en&agent=any®ion=any). Supporters of repealing the bill hope to try again in the state House to get a vote on their repeal measure.

In the election

President Joe Biden visited Florida to focus on abortion rights Tuesday. Vice President Kamala Harris was in Arizona recently, and [*she talked there to CNN's Edward-Isaac Dovere*](https://www.cnn.com/2024/04/21/politics/kamala-harris-campaigning-biden-2024/index.html), saying she hopes to take on the role of prosecutor against former President Donald Trump for appointing one-third of the Supreme Court that overturned Roe v. Wade.

Biden and Harris very much want to protect abortion rights in federal law but currently lack the votes in both the House and Senate. Trump has said he would [*leave abortion policy to the states*](https://www.cnn.com/2024/04/08/politics/donald-trump-abortion-2024/index.html) rather than try to implement a nationwide abortion restriction.

Referendums placing the issue of abortion rights before voters will be on the ballot in Arizona and Florida.

New reality

It is the cases currently before the Supreme Court that could have the most direct effect on the new reality for pregnant American women. Justices will hear arguments Wednesday regarding a federal law from 1986 that is supposed to require hospitals that receive federal money to stabilize the health of emergency room patients.

The Biden administration sued Idaho over its strict abortion ban, which does include a narrow exception for when the life of the mother is at stake but does not allow for abortion when the mother is in a medical emergency that is not yet life threatening.

CNN's Tierney Sneed has a larger look at the Idaho case, which she notes "has proceeded somewhat under the radar" and not attracted the same amount of attention as a separate case where the Supreme Court is considering the Food and Drug Administration's approval of a drug that has been used in medical abortions for decades. [*Read more from Sneed*](https://www.cnn.com/2024/04/20/politics/abortion-supreme-court-idaho-emergency-care/index.html).

Fleeing their own states for care

There is a growing number of stories of pregnant women in distress but denied emergency care in states with outright abortion bans or restrictive laws.

The emergency room issue going before the Supreme Court would not have affected Jen Adkins, [*a woman CNN profiled in February*](https://www.cnn.com/2024/02/10/health/idaho-abortion-laws/?dicbo=v2-EZn8CQo&hpt=ob_blogfooterold). Adkins felt she needed to rush six hours up the freeway to Portland, Oregon, when doctors in Idaho told her that her fetus likely had a disorder that could result in a miscarriage and that continuing with the pregnancy could harm her, but that they couldn't perform an abortion.

'Life flight insurance'

In their report about Adkins, CNN's Meg Tirrell and John Bonifield describe something new doctors are recommending for pregnant women in states with tight abortion restrictions. Tirrell and Bonifield write:

Dr. Julie Lyons, a family medicine physician across the state in Hailey, near Sun Valley, who's also a plaintiff in the lawsuit, said she now discusses "life flight insurance" with pregnant patients in their first prenatal visits, in case they have a pregnancy complication that doctors can't treat in Idaho.

"It's a little bit terrifying to know that we can't practice our full scope, that we are now needing to manage and triage patients, often outside of the state, to get the reproductive health care that they need," Lyons said.

Another woman, Allie Phillips, flew to New York from Tennessee to get away from her state's restrictive abortion law and obtain care rather than carry her nonviable fetus to term. Now she's running for a seat in the Tennessee House of Representatives, part of a "[*Dobbs effect*](https://www.cnn.com/2023/10/26/opinions/dobbs-abortion-tennessee-allie-phillips-candidate-campoamor/index.html)" of women affected by the end of Roe v. Wade getting involved in ***politics***. (Dobbs v. Jackson Women's Health Organization is the 2022 decision that overturned Roe.)

Last year, a Texas woman, Amanda Zurawski, testified in the US Senate after she was denied an abortion when she experienced complications with her pregnancy. She was later [*given an emergency abortion*](https://www.cnn.com/2023/04/26/health/abortion-hearing-texas-senators-amanda-zurawski/index.html) after going into septic shock. Zurawski is suing the state of Texas.

Abortion rights strategy

Democrats are hoping to harness anger and fear about the loss of reproductive rights in Florida, Arizona and other states to help them in November.

Biden's trip to Florida Tuesday to highlight lack of abortion access in Trump's adopted home is just one event in a strategic effort to focus on abortion rights and argue that exemptions to restrictive abortion laws are not working in states that have them.

First lady Jill Biden, for instance, invited [*Kate Cox*](https://www.cnn.com/2024/03/06/politics/kate-cox-texas-abortion/index.html), a Texas woman, to sit with her at this year's State of the Union address. Cox fled Texas to obtain an abortion just before the state Supreme Court denied her access to the care under the medical exemption in Texas' abortion law. Read more from CNN's Priscilla Alvarez and Michael Williams about the [*Biden campaign's strategy*](https://www.cnn.com/2024/04/23/politics/biden-abortion-rights-florida/index.html).

Harris settles into new role

Dovere interviewed Harris in Arizona, where a state Supreme Court ruling and lack of action in the Republican-controlled legislature mean the near-total abortion ban from 1864 will likely again be law in the state.

Harris, he wrote, is taking on the role of a political prosecutor during the coming election. She will try to lay out the case that Trump, who appointed justices to overturn Roe, will take away freedoms if he's returned to the White House.

From Dovere's report:

"The prosecutor approach is really about just deconstructing an issue," she said. "It's presenting and reminding folks about the empirical evidence that shows us exactly how we arrived at this point. ... He can't hide from this stuff."

Just before coming on stage in Arizona, Harris and a few aides scrambled to add in a line to go right at what Trump had said minutes before - that the US Supreme Court's Dobbs decision that overturned Roe v. Wade is "working the way it is supposed to."

Women facing the prospect of needing to seek a court order for an emergency abortion or being forced out of state are unlikely to agree.

This story has been updated with additional information.

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