

## Restricting Abortion: Florida<sup>1</sup>

In far too many places throughout this country, it has become extremely difficult for women to safely and legally end a pregnancy. In too many states, politicians have enacted laws that single out the provision of abortion services for restrictions that are more burdensome than those imposed on medically comparable procedures, do not significantly advance women's health or the safety of abortion services, and make abortion services more difficult to access. It's time for politicians to stop interfering with women's personal decision-making. We need a federal law that puts women's health, safety, and rights first. The Women's Health Protection Act does just that.

In Florida, the following restrictions are among those that would be unlawful under the Women's Health Protection Act once enacted:

- **REQUIREMENT** that a woman undergo an ultrasound before obtaining an abortion—even when medically unnecessary—and that the provider offer the woman the opportunity to see the image and hear it described in detail, whether or not the provider believes it is appropriate.<sup>2</sup>
- **BAN** on abortion after viability without constitutionally adequate exceptions for the woman's life or health.<sup>3</sup>
- **REQUIREMENT** that clinics that provide abortions after the first trimester have a licensed physician on staff with admitting privileges at a hospital in the state or a transfer agreement with a hospital no more than 30 minutes away, burdening them with a rule that is not necessary to ensure patient safety nor required of similar health care providers in the state.<sup>4</sup>
- **REQUIREMENT** that clinics that perform abortions in the second trimester meet structural and other regulatory standards unrelated to patient safety.<sup>5</sup>
- **REQUIREMENT** that forces a woman to wait at least 24 hours and make two separate trips to a provider before she can obtain an abortion.<sup>6</sup>

“At age 19, I was raped and beaten. I became pregnant and chose to have an abortion. I have always been thankful that safe, legal health care was available for me, so that I could have the life I chose for myself.”

- Kathy Brown, a Florida resident

## (Endnotes)

<sup>1</sup> The restrictions highlighted herein are examples of the types of restrictions that the [Women's Health Protection Act](#) seeks to invalidate. This fact sheet is not intended as a comprehensive guide to abortion restrictions in Florida.

<sup>2</sup> FLA. STAT. § 390.0111(3)(b).

<sup>3</sup> FLA. STAT. §§ 390.0111(1); 390.0111(11); 390.01112(1).

<sup>4</sup> FLA. ADMIN. CODE ANN. r.59A-9.019(17); r.59A-9.019(23); r.59A-9.023(1).

<sup>5</sup> FLA. STAT. § 390.012(3); FLA. ADMIN. CODE ANN. r.59A-9.022.

<sup>6</sup> FLA. STAT. § 390.0111(3)(a)(1) *et. seq.*, see *State of Florida v. Gainesville Woman Care LLC, et al.*, 2016 WL 745900, NO. 1D15-3048 (1st Dist. Flor. Feb. 26, 2016) (reversing temporary injunction order) (appeal pending).