

## **Planned Parenthood sues Idaho over abortion laws**

By KIMBERLEE KRUESI, Associated Press

BOISE, Idaho (AP) — Planned Parenthood has filed a federal lawsuit seeking to overturn recently passed Idaho laws that ban women from receiving abortion-inducing medication through telemedicine.

Planned Parenthood of the Great Northwest and the Hawaiian Islands in a lawsuit filed Tuesday says that the laws violate the U.S. Constitution's equal protection clause because it places an undue burden on a woman's right to get an abortion.

"Rather than promoting women's health, the ban on telemedicine harms women because but for the ban, Plaintiff would provide safe, early medication abortions to more women," the lawsuit states. "The ban, therefore, will force some women to seek abortions later in pregnancy, will force others to travel further to access abortion which will result in delay and increased medical risk."

Along with Gov. C.L. "Butch" Otter, Attorney General Lawrence Wasden, Ada County Prosecutor Jan Bennetts and Twin Falls County Prosecutor Grant Loeb are all listed as defendants. Loeb and Bennetts have statutory authority in the two counties that are home to Planned Parenthood's three health clinics — all of which provide abortions.

Otter's office did not immediately respond to requests for comment on Tuesday. Wasden's spokesman said they were still reviewing the lawsuit, but that they do not comment on pending litigation.

The lawsuit opposes two bills signed into law by Otter earlier this year. The first requires doctors to be present when administering pregnancy-ending pills rather than do so via telehealth.

Also called telemedicine, the practice allows doctors to consult with patients or review medical records remotely, using a computer or telephone connection. While it's become a popular method for treating patients, particularly in rural

areas, the practice of dispensing abortion-inducing medication is still a new concept.

The second law — sponsored by House Minority Leader John Rusche, a Democrat from Lewiston — outlines acceptable telemedicine practices in Idaho but includes strict language banning doctors from prescribing abortion-inducing drugs through telehealth. The law allows other forms of medical procedures without a doctor's presence.

"There is nothing in the record developed by the legislature that demonstrates how the 'in person' exam requirement for a medication abortion furthers any interest in protecting the health of women," the lawsuit states. "Nor is there anything in the records showing that the legislature considered the adverse health impact of limiting access to abortion."

Republican lawmakers who voted in favor of the legislation argued that the law better protects women's health against so-called "webcam abortions," which are not accessible in Idaho.

Currently, 18 states require that abortion-inducing medication must be given in person, according to the Guttmacher Institute, a research center that supports abortion rights. Thirty-eight states — counting Idaho — require licensed physicians to be the only ones to give abortion medication.

However, Planned Parenthood won a similar lawsuit in June when the Iowa Supreme Court struck down a restriction that would have prevented doctors from administering medication abortions, saying the rule would have placed an unconstitutional burden on women by requiring a doctor's physical presence in the room.

Iowa is currently one of only two states that offers telemedicine abortions.

