

## Nurses Call for Reproductive Justice

On June 24, 2022, the Supreme Court announced their decision to overrule *Roe v. Wade*, eliminating the constitutional right to abortion after almost 50 years. This ruling came on the tail end of what is considered by many to be one of the worst years for abortion rights. In 2021, 108 abortion restrictions were passed in 19 states, the highest number since the passage of *Roe v. Wade* in 1973. Just as notably, the Supreme Court heard oral arguments in two cases that threaten a pregnant person's inherent right to choose whether to have a child. In November, *Whole Women's Health v. Jackson* came before the Court, which questioned the constitutionality of Texas S.B. 8, a bill banning most abortions after six weeks. The law further allowed private citizens to enforce the law by bringing a civil suit against anyone assisting with an abortion in any way — logistically, financially, clinically, etc. The Court allowed the ban to remain in place. While it unanimously dismissed lawsuits against private individuals, it upheld them against others. This decision essentially paved the way for additional states to ban abortion following a similar scheme.



In December 2021, the Court heard arguments on *Dobbs v. Jackson Women's Health Organization*, a case examining the constitutionality of Mississippi's 15-week abortion ban. Notably, a panel of the 5th U.S. Circuit Court of Appeals, considered one of the most conservative in the country, blocked the enforcement of the law, maintaining it conflicted with *Roe v. Wade* and succeeding abortion decisions. The rulings in *Whole Women's Health* and *Dobbs v. Jackson* point to the politicized nature of the Court. In the aftermath of the *Dobbs* decision to overrule *Roe*, rightwing politicians have banned abortion in 14 states and more bans are expected. In about half of the country, access to abortion is at great risk.

### Abortion Care is Health Care

- » Unnecessary abortion restrictions place a burden on women and result in unequal access to comprehensive health services. Access to comprehensive women's health care, including abortion care, are fundamental to patient health, bodily autonomy, and economic stability.
- » Decades of research consistently shows that abortion bans and restrictions don't reduce unintended pregnancy or demand for abortions, nor do restrictions help people improve their health. Rather, abortion restrictions impose significant hurdles to obtaining care, causing economic and emotional stress for people in need of abortion and leading some to experience long-term consequences of forced pregnancy.

### Reproductive Health Care is a Human Right

- » Nurses have long said that health care, which includes reproductive health care, is a human right. That's why nurses have been at the forefront of the fight for Medicare for All, safe staffing ratios, and protections for patients and health care workers throughout the Covid-19 pandemic. Protecting access to abortion care and advancing reproductive justice is yet another way to protect patients and communities.

**OUR PATIENTS. OUR UNION. OUR VOICE.**



- » Reproductive rights are human rights. The United Nations special rapporteur to the right to health cautioned that banning and/or criminalizing abortion is “irreconcilable” with international human rights law. All people must have the ability to choose when or whether to have children, to access reproductive health services, abortion care, and the social supports that workers who choose to bear children need to support their families.
- » Access to reproductive care so that we can realize our rights is crucial. As patient advocates, nurses can play a key part to increase patients’ access to reproductive health care.
- » Our patients and communities need access to all forms of reproductive health care - including prenatal care, contraception, and more — along with comprehensive medical care.

### **Racial Justice is Reproductive Justice**

- » Restrictions on reproductive health care, such as abortion bans, disproportionately harm people who are already marginalized and oppressed — including Black and Brown communities, other people of color, people with low incomes, young people, LGBTQIA+ communities, immigrants and people with disabilities.
- » Pregnancy has been used as a means of controlling child-bearing people and their bodies and forcing them into motherhood. This is especially true in the South, where pregnant individuals have been prosecuted for various reasons, even after giving birth to healthy babies. Since 2006, Alabama has prosecuted nearly 500 women for ostensibly exposing a fetus to a “controlled substance,” what has even included prescription painkillers.

### **Reproductive Justice is Essential to Democracy**

- » Rightwing attacks on democracy — including gerrymandering, voter suppression, and threats of violence — are what allowed for the overturning of *Roe v. Wade* by Trump-appointed judges. The SCOTUS decision goes against the beliefs and values of the vast majority of people in the United States and is highly undemocratic.
- » Restrictions on abortion, like all other restrictions on access to health care, prevent people from participating in our democracy and economy. Abortion access lowers fertility and thereby decreases the number of children a woman may have, which in turn decreases her likelihood of being pushed into poverty and increasing her possibility of being in the paid labor force. Abortion access and delayed fertility also allow women to focus on education, training and/or working which leads to greater economic security and opportunity to more fully participate in democracy.
- » The overturn of *Roe v. Wade* and the slew of abortion bans passed across the country are part of a coordinated rightwing effort to undo hard-won human and civil rights in the United States.
- » A key element in rightwing attempts to dismantle any semblance of a social safety net in this country is the dangerous targeting of women. This is seen through continuous efforts to defund and/or increase eligibility for Medicaid. Women make up most of the adult Medicaid population; which provides lifesaving support for many by covering a wide range of preventative, specialty, and long-term care services.

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- » Similarly, in 2019 rightwing political attacks on Title X family planning programming — which provides federal funds to clinics to cover contraception, STD and cancer screenings for low income patients — barred funding to any provider who provided or referred patients for abortions.
- » Attacks on abortion are also tied to broader political attacks on LGBTQIA+ people, voting rights, public education, and unions.
- » Overturning *Roe* opens the door for the extremist Supreme Court and the authoritarian right to attack many other liberties that most of us take for granted, such as the right to contraception, interracial marriage, and other rights that have been tied to the right to privacy.

### **Nurses Fight Back!**

Nurses and health care workers are on the frontlines of the battle for reproductive justice. We see every day how having access to high quality health care can mean the difference between life and death for our patients. We can protect patients against attacks on reproductive rights by:

- » **Supporting the Women’s Health Protection Act**
  - › The Women’s Health Protection Act would protect the right to an abortion at the federal level, establishing a right for health professionals to provide most abortion care without any medically unnecessary restrictions or limitations and a right of patients to receive that care.
- » **Fighting for Medicare for All**
  - › We know that under Medicare for All, the cost of abortion care would be covered. Medicare for All legislation in the House and Senate as written would prohibit the Hyde Amendment, which currently restricts federal funds from being spent on abortion, from applying to Medicare for All funds. Passing Medicare for All would allow abortion to be included as part of guaranteed, comprehensive health care for all.
- » **Offering resources and help to abortion funds and reproductive justice organizations**
  - › Local and national abortion funds are directly assisting people who need abortions across the country, even in states with restrictive bans. Nurses are offering their support through donations, volunteer commitments, and more.
- » **Defending democracy**
  - › Nurses for Democracy is an initiative of National Nurses United to confront rightwing attacks on democracy and voting rights head on. We are electing progressive candidates in battleground elections to protect our patients and communities. Just like we protect democracy at work through our dedication to collective action, we will defend democracy across the country.

To learn more and/or schedule a workshop or training on reproductive justice, please contact [socialjusticeequityinfo@nationalnursesunited.org](mailto:socialjusticeequityinfo@nationalnursesunited.org).