



NEW YORK STATE SENATOR

Shelley B. Mayer

## Scarsdale 10583: Paulin and Mayer Object To Court Decision Banning Abortion Pills

JOANNE WALLENSTEIN April 10, 2023

| ISSUE: **ABORTION**

Both State Assemblymember Amy Paulin and State Senator Shelley Mayer issued statements about the Texas court ruling which overrides the FDA and bans the sale of mifepristone and misoprostol for abortions and treating miscarriages.

Here are their statements:

*Statement of Assemblymember Amy Paulin on the Federal Court Ruling Overturning the FDA Approval of Abortion Medication*

Texas Federal Judge Matthew J. Kacsmaryk has disregarded science, the FDA, and the will of the majority of our country by ruling to suspend the Food and Drug Administration (FDA) approval of mifepristone — one of two drugs used together to cause an abortion — virtually banning the sale of the pills across the country.

The decision compounds the Supreme Court's tragic overturning of *Roe v. Wade* as it will negatively affect the hundreds of thousands of women in the country who each year use the two-drug regimen of mifepristone and misoprostol for abortions and treating miscarriages.

This year I am introducing legislation to expand abortion access in New York by allowing



medication abortion through the use of non-prompted by the

State Assemblymember Amy Paulin

'FDA's recent regulatory change allowing mifepristone and misoprostol to be offered in retail pharmacies. Mifepristone and misoprostol are drugs which can be safely self-administered by a patient at home over a 2-day period in order to medically induce an abortion. They can be taken up to 12 weeks into a pregnancy, greatly expanding the abortion window for women.

In 2021, over half of abortions in the United States were medication abortions, specifically using the two-drug regimen of mifepristone and misoprostol.

Texas Federal Court Judge Kacsmaryk has decided to ignore science which has proven mifepristone and misoprostol to be safe and effective, with a 0.4 percent risk of major

complications and an associated mortality rate of less than 0.001 percent. They also have no risk of overdose or addiction.

Judge Kacsmaryk has overstepped the court's judicial authority by overturning a decision made by the FDA with its rigorous testing and approval process, as well as over two decades of safe and effective use of medication abortion. Allowing the courts to overturn an FDA approval based on politics rather than science has very dangerous implications. For this reason alone the ruling must be overturned.

Judge Kacsmaryk has also chosen to ignore the public's will, as poll after poll shows that the majority of Americans believe that abortion should be legal.

Since the Supreme Court's devastating decision to overturn *Roe v. Wade*, and as states around the nation are tragically banning and limiting access to abortions, New York State has taken steps to become a safe harbor for abortion access. Access to abortion is something I have fought for throughout my time as a legislator. I will fight against this tragic and destructive attempt to turn back the clock to the detriment of women and families, and will continue to ensure that New York State not only allows, but expands abortion access.

*Statement from Senator Shelley Mayer on the Decision in Alliance for Hippocratic Medicine vs FDA*

Yesterday's decision by Judge Matthew J. Kacsmaryk cannot stand. In an unprecedented ruling, a single federal district court judge has invalidated 20 plus years of the FDA's approval of mifepristone, a key drug used in safe medication abortions. Mifepristone has been used for years as part of a safe abortion procedure. After the *Dobbs* decision, it was more clear than ever that medication abortion, with mifepristone, would be one of the most important methods of abortion, so millions of women could have control over their bodies.

"The United States Supreme Court must defer to the authority of the FDA and overturn this decision with due haste. If this decision stands, it will have enormous implications not only for people seeking medication abortion and providers, but also on the standard of practice of policy making in the future. This is an inappropriate exercise of federal judicial authority and is an unjust and unfounded decision that undermines the rigorous and scientifically driven processes continuously undertaken by the FDA .



State Senator Shelley Mayer"While red states have turned their back on half their constituents, New York has stepped in to provide healthcare to people in need. I am proud to have sponsored legislation which has passed the NYS Senate to protect New York health providers who prescribe and distribute mifepristone to women throughout the US, and look forward to its prompt passage by the NYS Assembly and signature by Governor Hochul. We will continue to fight to ensure women – regardless of where they live – have access to safe, full control over their health care choices, including medication abortion with mifepristone."

[Article Here.](#)

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## 2023-S1066B

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- Introduced
- - In Committee Assembly
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- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
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- Delivered to Governor
- Signed By Governor
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Relates to providing protections to health service providers who perform legally protected health activities

January 09, 2023

Signed by Governor

Sponsored by **Shelley B. Mayer**

Do you support this bill?

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