



Dobbs One Year Later: The Status in Pennsylvania

One year ago, on June 24, 2022, the United States Supreme Court decided *Dobbs v. Jackson Women's Health Organization*, which overturned *Roe v. Wade* and held that there is no federal constitutional right to abortion. Since returning the issue of abortion to the states for the first time in nearly 50 years, many states have restricted access to abortion services. That is not so in Pennsylvania. Today, on the one-year anniversary of *Dobbs*, the Pennsylvania Office of Attorney General reminds the public that abortion remains legal, safe and accessible in Pennsylvania. The following information is intended to inform both Pennsylvania residents, and out-of-state visitors, about the current state of the law regarding abortion services across the Commonwealth and to provide resources for pregnant people on options available to them in Pennsylvania.

Abortion is Legal in Pennsylvania

Abortion is legal, safe and accessible in Pennsylvania. You do not need to live in Pennsylvania in order to access abortion care in Pennsylvania. Under state law, abortion can take place up through the 23rd week of pregnancy, and can occur after the 24th week in certain instances where the health of the mother is in danger. People under the age of 18 must obtain parental consent, or obtain a court's approval through the judicial bypass process, to have an abortion in Pennsylvania.

Medication Abortion is Legal in Pennsylvania

The types of abortion available in Pennsylvania are medication abortion and in-clinic procedure abortion. Medication abortion is generally administered through a combination of two drugs, misoprostol and mifepristone, and is authorized for use up to the first 10 weeks of pregnancy. While there is continued litigation surrounding mifepristone, it remains legal and available in Pennsylvania. For more information about the mifepristone litigation, please review this [page](#) on the Office of Attorney General website. In-clinic procedure abortion may be an option at various stages of pregnancy, depending on the needs and preferences of the patient and the advice of a physician.

Where to Find Pregnancy-Related Health Care in Pennsylvania

Only licensed physicians can perform abortions in Pennsylvania, and the PA Department of Health maintains a searchable list of licensed free-standing abortion clinics [here](#). While there are many clinics in Pennsylvania that offer some type of pregnancy-related services, including “crisis pregnancy centers,” most such clinics do not offer abortion services.

Because not all clinics offer comprehensive pregnancy-related services, including abortion services, individuals seeking medical care from a licensed healthcare professional should specifically ask the clinic’s staff about what services are offered before deciding which clinic to visit.

Questions to Ask

- **“Are you licensed or regulated by the Pennsylvania Department of Health?”** Many clinics advertise services like ultrasounds and abortion referrals, but not all clinics are licensed medical facilities staffed by physicians equipped to provide comprehensive pregnancy-related care. In order to determine the full range of services that might be available, ask the clinic whether they are licensed by the PA Department of Health, and what types of licensed medical staff are available.
- **“What type of pregnancy-related services do you offer?”** Some clinics offer ultrasounds, which may or may not be performed by a licensed medical professional; some offer prenatal care; some provide counseling against abortion and direct pregnant people to alternatives to abortion; some offer abortion services. When considering which clinic to go to when considering your pregnancy-related health care options, it is important to know up front what options will be available to you at the clinic you attend.
- **“Do you provide abortions? If so, what type of abortion (medication abortion or in-clinic procedure abortion)?”** People considering abortion should know that not all clinics offer abortions. In clinics that do offer abortion, they may not offer both types of abortion. It is important to know what type of abortion a clinic offers, because the types of abortion available in Pennsylvania depend on the timing of the pregnancy. *Also note, if a clinic advertises “abortion referrals”, you should ask about the steps of the referral process, including how long a referral takes and what clinic(s) referrals are sent to.* Referrals, particularly referrals to other clinics that also do not provide abortion services, may result in a delay that will place you outside the time period for a legal abortion.
- **“How much does abortion cost?”** Some health insurances cover abortion, but some do not. Contact your insurance company to find out whether abortion is covered. In Pennsylvania, Medicaid generally does not cover abortion, except in certain limited situations. If your insurance will not cover an abortion, ask the clinic how much it

will cost out-of-pocket. Note that some clinics have information about organizations that help cover the costs of an abortion, which may include the cost of transportation or overnight accommodations.

- **“Do you protect patient health information and data?”** Under the federal law known as HIPAA, only medical providers are bound to protect your information and limit the use and disclosure of your personal health information by HIPAA’s patient information privacy rules. This means that clinics that do not offer billable medical treatment may not be legally required to protect your private health information from disclosure to third-parties without your consent or authorization. ***In order to protect your personal health information from being disclosed without your consent, you should ask, before you provide such information, whether the clinic abides by HIPAA protections and how they may use or disclose your personal health information.*** If you want more information about your right to privacy under HIPAA and how to make a complaint if you believe your personal health information has been used or disclosed in violation of HIPAA, please visit the federal Department of Health and Human Services website [here](#).

Additional Resources

- **Women’s Law Project**: Pennsylvania-based non-profit legal organization providing judicial bypass assistance for minors and other support for reproductive rights.
- **Pennsylvania Department of Health**: State agency with regulatory oversight of abortion facilities.