

# Abortion rights protected in Oregon regardless of Supreme Court ruling

BY JULIA SHUMWAY

Of the Oregon Capital Chronicle

If the U.S. Supreme Court's final decision on abortion rights resembles a draft opinion leaked Monday night, women in more than half the country could lose access to a right they've had for 50 years.

In Oregon, women seeking abortions would not see immediate consequences.

Over several decades, and even more during the past five years, Oregon lawmakers have protected abortion rights and provided funding to ensure every patient seeking an abortion can receive one at no cost.

However, reproductive health care providers have warned that abortion restrictions in other states may make it harder for Oregon women to receive care.

According to the Guttmacher Institute, an abortion rights advocacy group based in New York, hundreds of thousands of women from Idaho, Montana, Wyoming or Utah would be left to travel hundreds of miles to Washington, Oregon or Colorado for reproductive care.

Oregon clinics, which performed about 6,600 abortions last year, are already struggling to hire staff. Planned Parenthood began leasing critical space

in Ontario in eastern Oregon following the Idaho Legislature's passage of a law that would ban abortions after six weeks of gestation, before many women know they're pregnant.

An Idaho judge stayed the new law, but the expected U.S. Supreme Court decision would allow it to take effect. Until the Ontario clinic opens, the closest abortion providers for women in eastern Oregon are in Bend or Boise.

Abortion providers and legislative Democrats say Oregon likely needs to do more to shore up legal protections and provide additional funding for women seeking abortions, though they didn't have many details to share Tuesday.

For the past 50 years, the Oregon Legislature has expanded protections for abortion while Oregon voters have defeated efforts to restrict abortion at the ballot box. In 1978, 1986, 1990, 2006 and 2018, Oregon voters rejected ballot measures that would have prohibited state funding for abortions and required parental notification.

In 1983, lawmakers overturned the pre-Roe abortion law and declared that abortion was a right under the state Constitution.



Demonstrators rallied outside the U.S. Supreme Court on Dec. 1, 2021, as justices heard arguments in a Mississippi case that seeks to overturn *Roe v. Wade*.

Photo by JANE NORMAN of the States Newsroom

In 2017, following the election of Republican President Donald Trump and a GOP-controlled U.S. House and Senate, Democratic states including Oregon sought to further protect the right to an abortion and provide state funding.

At the time, national Republicans were seeking to prevent any federal funding from reaching Planned Parenthood and to remove birth control as an essential health benefit that must be covered by insurance plans. Planned Parenthood and other abortion providers are already banned from using federal money to pay for abortion care, but they could receive federal funding for services, including testing for pregnancy or sexually transmitted infections, HPV vaccinations and screening for breast or cervical cancer.

Oregon responded with the Reproductive Health Equity Act, which passed along party lines and was signed by Gov. Kate Brown in August 2017. It required insurance providers to cover abortion costs for all women and guaranteed that the state will cover costs for people covered by Medicaid or who are uninsured, including those living in the U.S. without legal documentation.

The 2017 law also enshrined the right to abortion care in state law. Other states, most recently Colorado, have since passed their own versions of the law.

This spring, following the passage of laws effectively banning abortion after six weeks in Texas and Idaho, Oregon lawmakers appropriated \$15 million for abortion providers to hire more employees, buy equipment or expand services, as well as cover expenses like travel, hotel stays, child care and missing wages for women seeking abortions at Oregon clinics.

Nonprofit organizations including the Eugene-based Northwest Abortion Access Fund already provided similar aid.

Legislative Democrats including House Speaker Dan Rayfield, D-Corvallis,

said more work may need to be done.

In a statement, Rayfield said lives are at risk if *Roe v. Wade* is overturned, especially in low-income communities. Democrats in the Legislature have prepared for years for such a court reversal, he said.

"As dozens of states attack abortion rights and this decision looms, we need to ensure that we fill our gaps in coverage and help people get the care they need," he said. "I anticipate much more work ahead in the interim to determine what legislative and funding solutions are needed to support and improve our reproductive healthcare infrastructure."

Rep. Julie Fahey, the House Democratic leader from Eugene, told the *Capital Chronicle* lawmakers are monitoring how the 2017 law is being implemented and looking at policy changes. This year, the Legislature tweaked the 2017 law to clarify state agencies' authority, and similar minor technical changes could come in future years.

Fahey said legislative Democrats will continue protecting abortion rights even if voters elect a governor who opposes them.

"In the Legislature, we will always, regardless of who's in the governor's office, or what the Supreme Court says, we will always fight to maintain that right," Fahey said.

An Do, executive director of the advocacy organization Planned Parenthood Advocates of Oregon, said during an online news conference Tuesday that reproductive health providers are thinking about other policies that might be needed. The \$15 million provided by the Legislature was a good start, she said.

With just two weeks until the May 17 primary election, Do said voters should keep abortion rights in mind.

"We need to be more robust and vigilant than ever to ensure we have people who are representing our interests," she said.

## Cat of the Week



Name: **MALCOLM**  
"SQUEAKER"

Age: 10.5

HISTORY: Malcolm is a gray and white domestic short hair tuxedo. He currently needs to be hand fed at the shelter, but that may change when he is adopted into a home.

PREFERRED HOME: This cat does best in a quiet home with no other pets. Malcolm is shy and likes to hide, however he is very friendly.

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