



Abortion Landscape in Minnesota

Where Does MN Sit After Roe: A 2023 Session Recap

The overturning of *Roe v. Wade* through the Mississippi *Dobbs v. Jackson Women's Health Organization* case returned the question of abortion back to the individual states, giving them the freedom to enact or remove laws.

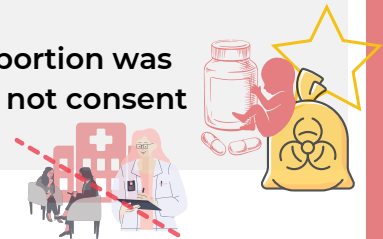
Reality: Abortion in Minnesota is Unrestricted

During the 2023 legislative session, Democrat legislators in Minnesota used their majority to remove nearly all of the commonsense guardrails surrounding abortion in our state. They expanded taxpayer funding of abortion and passed the PRO Act to guarantee everyone a fundamental right to reproductive healthcare, including abortion and sterilization, regardless of age.

Which abortion-related health and safety protections were repealed?

Explainer: Repealing statutes means to erase the laws that were originally passed. Thus, they are no longer law. If the legislature wanted to put the laws back in place, they would need to go through the legislative process once again, be passed in the House of Representatives and Senate, and be signed by the Governor.

- Informed consent
- 24-hour waiting period
- Women's Right to Know
- Law requiring that only physicians be allowed to perform abortions
- Requirement for abortions to be performed in a hospital after the first trimester
- No abortions performed on unconscious women
- Abortions cannot be performed at birth centers
- Minnesota prefers childbirth over abortion
- The reporting of the death of a woman within 30 days of an abortion
- Civil action can be taken if the abortion was performed on someone who did not consent
- And more!



Which guardrails were changed?

Abortion Reporting:

Nearly all of the abortion reporting requirements were repealed except the number of abortions performed by each physician in the state, the method used, the gestational age and the age of the mother, if there were any complications, and if it was performed via telehealth.

Born Alive Infant Protection Act:

Most of the Act was repealed, but they changed the first provision by adding "comfort language." Instead of protecting infants born alive from abortions, it now says that any infant born alive deserves "care." This language could negatively impact babies born with disabilities, as an example.

Changes to Criminal Statutes:

It was added as a clarifier that when providing planned abortions with consent, there are no repercussions for the child's murder.

Changes to taxpayer funding of abortion: Now where is my money going?

Medical Assistance will now fund "medically necessary" abortions.

Medical Assistance is Minnesota's Medicaid program for people with low income.

MinnesotaCare will now cover elective abortions.

MinnesotaCare is a state-sponsored health program for people with low income.

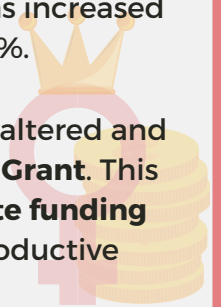
The reimbursement rate for abortions has increased by 20%.

The Positive Alternative Grant Program, which provided nearly

\$3.5 million in funding for pregnancy resource centers across the state was eliminated.



The existing Family Planning grant has been altered and is now the **Sexual and Reproductive Health Grant**. This grant will provide nearly **\$7,000,000 in state funding per year** to organizations promoting reproductive health, contraception, and more.





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What does Minnesota look like and what comes next?

Did contraception access get expanded?

Contraception is widely available and frequently prescribed. The Church teaches that contraceptive use is wrong (CCC 2399), and she acknowledges the link between contraception and abortion: "Most abortions are the result of unwanted pregnancies, most unwanted pregnancies are the result of sexual relationships outside of marriage, and most sexual relationships outside of marriage are facilitated by the availability of contraception."¹ Three changes were made this year to contraceptive coverage:

Insurance plans are now mandated to provide contraception coverage (with exceptions in line with the Supreme Court Hobby Lobby decision), and the supply should be up to 12 months.

Hospitals will be incentivized to provide women long-acting contraceptives immediately post-partum (before they bring their newborn home).

Hospitals and primary care providers are to educate MinnesotaCare and Medical Assistance (low-income) patients on contraception.

1: Contraception and Abortion: The Underlying Link

What is happening in the courts?

Doe v. Gomez Explained:

Doe v. Gomez was a 1995 court case brought forth by six plaintiffs who argued that a right to abortion is protected under the Minnesota Constitution. The case was heard by the Minnesota Supreme Court, who concluded that abortion is a matter of privacy and a protected right under our state constitution and that women in poverty have a right to taxpayer funded abortion.

Doe v. Minnesota Explained:

Doe v. Minnesota was a court case brought in 2019, arguing that the health and safety protections surrounding abortion in Minnesota are outdated and burdensome. In July 2022, a Ramsey County District Court Judge ruled for the plaintiffs largely on the basis that the Attorney General, Governor, and other defendants provided no evidence of the benefits of these laws. Thus, many of the health and safety protections surrounding abortion could no longer be enforced unless the court re-opens the case. The district court rejected an attempt by a county attorney and separately, a group of MN mothers to re-open the case and allow them to defend the statutes. The court of appeals is in the process of deciding whether to do so.

What remained after the 2023 legislative session?

These are just a sampling of the laws that stayed in place thanks to the persistent advocacy of pro-life constituents and organizations.

Disposition of remains:

A fetus should be disposed or discarded by cremation, interment by burial, or in a manner directed by the commissioner of health.

Parental Notification:

A minor's parents must be given written notice 48 hours in advance of an abortion (statute is under litigation).

Conscience Protections:

No person should be coerced into or discriminated against for not performing an abortion.

Sheriff Investigation:

A sheriff can investigate if the death was due to a criminal abortion—self-induced or not.

What now? Families First Project!

With nearly all of the health and safety protections surrounding abortion removed from law, abortion is unrestricted in Minnesota. We must now work on limiting the demand side of abortion by improving family economic security and walking with mothers in need.

Tax exemption on baby items:

Support H.F. 2125 / S.F. 2182, a bill that would eliminate the state sales tax on necessary baby items like cribs and car seats.

Expand the Child Tax Credit:

During the 2023 session, MCC successfully advocated for the creation of a nation leading child tax credit that will give direct tax relief to families. This bill passed, but more advocacy can be done to stretch it further into the middle class.

Learn about more families first policies :



Questions? Contact:
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