

THE STATE OF REPRODUCTIVE HEALTH AND RIGHTS: **A 50-State Report Card**



REPRODUCTIVE HEALTH AND RIGHTS AT A TIPPING POINT

18 States Receive a “B” or Higher and 27 States Receive a “D” or Lower For the Second Year in a Row, US Receives Failing Grade

For more than a decade now, opponents of reproductive rights have been relentlessly chipping away at state protections. As highlighted by this year’s 50-state report card, reproductive rights now vary dramatically from state to state. Eighteen states this year earned a ‘B’ or higher, while 27 states received a ‘D’ or lower. Also, for the second year in a row, the U.S. as a whole received a failing grade, reflecting continued Trump administration assaults on reproductive health and rights.

The reproductive rights divide, already stark, is likely to grow as a result of Trump-era changes in the makeup of the federal judiciary. It’s not just the appointment of three anti-abortion justices to the U.S. Supreme Court; president Trump also appointed more than 200

justices to the lower federal courts. The battle over reproductive rights will likely intensify as a result.

There are already direct challenges to *Roe v. Wade* working through the court system and states will continue to pass new legislation to make it as difficult as possible for people to access care. For many people the promise of *Roe* has never been a reality and this will only push it further out of reach making it even more difficult for people to access abortion services.

In recent years reproductive health and rights have also suffered major programmatic setbacks at the federal level. In 2019 the Trump administration finalized regulations that substantially altered Title X, the 50-year old federal-state partnership that supports family

planning clinics serving low-income households. Frequently referred to as the “domestic gag rule,” the new regulations prohibited Title X family planning physicians and staff from counseling patients on abortion or referring them to abortion providers. In response to the new regulations, Planned Parenthood and other abortion providers dropped out of the program. The Guttmacher Institute reported that the changes slashed the Title X national family planning network’s patient capacity in half, jeopardizing care for 1.6 million patients.

While reproductive health and rights advocates hope that the Biden/Harris administration will do much to undo the damage inflicted by the Trump/Pence administration, it may take years to accomplish.



THE UNITED STATES GETS AN F

The United States as a whole has been given a grade of ‘F’. Here’s why:

The Trump/Pence administration’s imposition of a “domestic gag rule,” which bars Title X clinics from counseling patients about abortion or referring them to abortion services, has had a devastating impact on a program that was providing family planning services to 4 million households a year. Several states and providers, including Planned Parenthood, have opted out rather than abide by the new restrictions. As traditional and trusted family providers drop out, the Trump administration has been awarding Title X grants to “crisis pregnancy centers” run by staunch anti-abortion advocates, some of whom do not even provide contraceptive services to clients.

This year, after the death of Justice Ruth Bader Ginsburg, President Trump was able to appoint his third justice to the U.S. Supreme Court. With Amy Coney Barrett joining fellow Trump appointees Brett Kavanaugh and Neil Gorsuch on the bench it created a solid 6-3 conservative majority. Trump has also succeeded in stacking the lower federal courts. The U.S. Senate has confirmed over 200 Trump-nominated judges to the lower courts. In addition to restricting abortion rights, a more conservative federal judiciary could render rulings adversely affecting Title X, the coverage of contraception under the Affordable Care Act, and LGBTQ protections.

The Trump/Pence administration sought to slash federal support for evidence-based, comprehensive sexuality education. Instead, the administration promoted “sexual risk avoidance” programs that embrace the failed “abstinence-only” approach backed by conservatives.

GRADING REPRODUCTIVE HEALTH AND RIGHTS

While most Americans are aware of the national political debate over birth control and abortion, many are unaware of the status of reproductive health and rights in their own state. In the interest of an informed public debate, the Population Institute, for the eighth year in a row, is releasing a report card that gives an overview of what's happening in the 50 States and the District of Columbia.

THE 50-STATE REPORT CARD

Focus: The 50-state report card focuses on four broad indicators or policies relating to reproductive health and rights:

Effectiveness (20 points):

Statewide, what percentage of pregnancies are unintended, and how high is the state's teenage pregnancy rate?

Prevention (30 points):

Does the state promote comprehensive sex education in the schools, allow nurses to dispense medications, and allow minors to consent to contraceptive services?

Affordability (25 points):

Has the state expanded Medicaid access under the Affordable Care Act? Does the state have policies designed to make birth control affordable to uninsured and low-income individuals, and do they allow insurance coverage of abortion services?

Access (25 points):

Does the state impose harassing or burdensome requirements on those seeking family planning or abortion services?

CRITERIA AND SCORES

Eleven criteria are used in determining a state's composite score. States with the best grades will have:

1. A low rate of teenage pregnancy (10 points maximum)
2. A low rate of unintended pregnancy (10 points maximum)
3. Comprehensive sex education in the schools (15 points maximum)
4. Nurses authorized to dispense medications (5 points maximum)
5. Emergency Contraception Mandated in Emergency Room (5 points maximum)
6. Minors access to contraceptive services (5 points maximum)
7. Medicaid expansion under the Affordable Care Act (15 points maximum)
8. A Medicaid "waiver" expanding eligibility for family planning services (5 points maximum)
9. Insurance coverage of abortion services (5 points maximum)
10. An absence of burdensome abortion restrictions (10 points maximum)
11. An absence of TRAP Laws (Targeted Regulation of Abortion Providers) (5 points maximum)
12. Abortion Policy in Absence of Roe (5 points maximum)
13. County-level access to family planning and abortion services (5 points maximum)

CORE GRADE

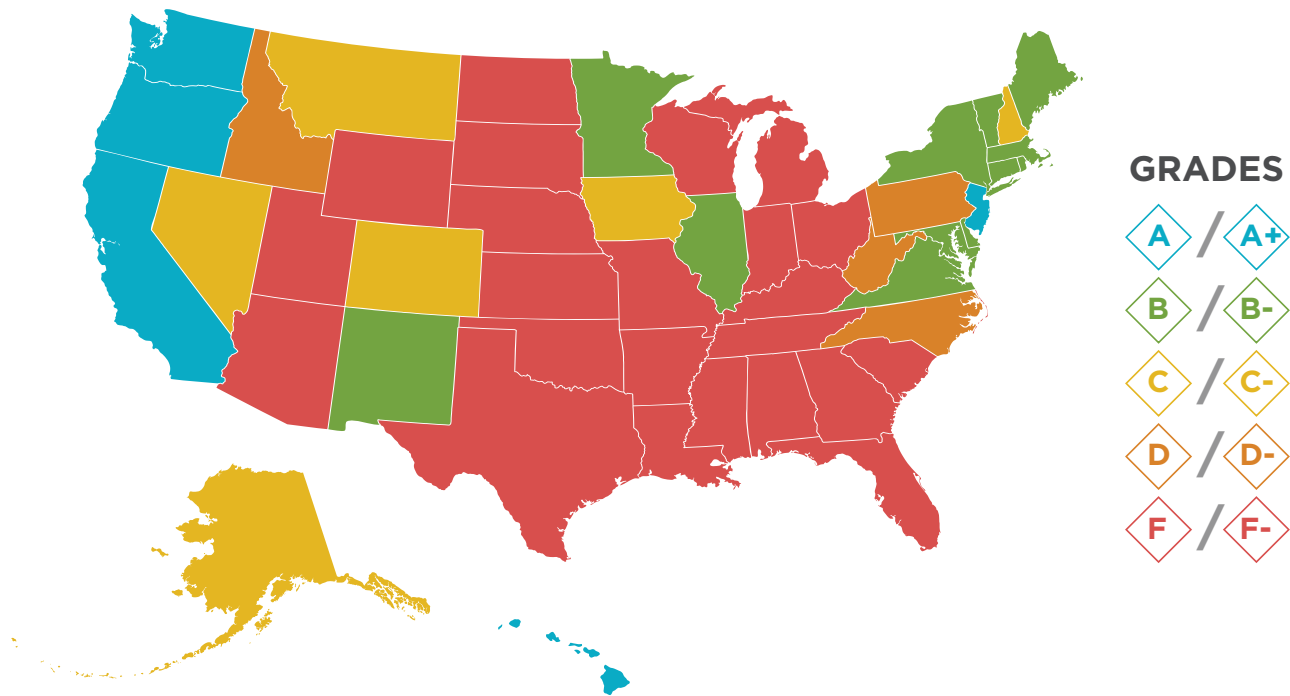
Each state is assigned a "core" grade based upon the following grading system:

A: 86-100 points B: 71-85.9 points C: 61-70.9 points D: 50-60.9 points F: < than 49.9 points

STATE	TOTAL SCORE	LETTER GRADE	STATE	TOTAL SCORE	LETTER GRADE	STATE	TOTAL SCORE	LETTER GRADE	STATE	TOTAL SCORE	LETTER GRADE
AL	27.1	F-	IL	75.8	B	MT	70.9	C-	RI	74.2	B+
AK	67.2	C	IN	35.4	F-	NE	35.2	F	SC	42.1	F-
AZ	41.2	F-	IA	65.8	C-	NV	63.8	C	SD	22.6	F-
AR	37.4	F-	KS	28.4	F	NH	62.8	C	TN	39.3	F-
CA	96	A+	KY	33.6	F-	NJ	87.9	A-	TX	42.5	F-
CO	67.9	C-	LA	34.6	F	NM	77.8	B+	UT	39.7	F
CT	71.5	B+	ME	81.2	B	NY	79.1	B	VT	78.1	B
DE	72.7	B-	MD	81.1	B-	NC	54.2	D-	VA	78.4	B-
DC	81.6	B+	MA	71.2	B-	ND	40.3	F-	WA	92.4	A+
FL	34.9	F	MI	30.3	F-	OH	37	F-	WV	55	D
GA	44.3	F	MN	71.1	B	OK	25.5	F	WI	29.5	F-
HI	86.6	A-	MS	23.6	F-	OR	93.4	A+	WY	49.2	F
ID	54.1	D	MO	27.4	F-	PA	60.7	D-			

FINAL GRADE

If there are noteworthy developments or other important policies that are not reflected in the state's "core" grade, a state may be accorded a plus (+) or a minus (-), depending on how the changes are likely to impact reproductive health and rights.



STATE BREAKDOWNS

For state press releases and state-by-state breakdowns of the scoring, more information can be obtained at www.populationinstitute.org/reportcard

FOR MORE INFORMATION

About teenage pregnancy in the U.S., see

<https://www.guttmacher.org/report/pregnancies-births-abortion-in-united-states-1973-2016>

About the rate of unintended pregnancies in the U.S, see

<https://www.guttmacher.org/reports/pregnancy-desires-and-pregnancies-state-level-estimates-2014>

About state abortion restrictions, see <https://www.guttmacher.org/state-policy/explore/overview-abortion-laws>

About State Medicaid Expansions, see

<http://kff.org/health-reform/state-indicator/state-activity-around-expanding-medicaid-under-the-affordable-care-act/>

About state Medicaid family planning waivers, see

<https://www.guttmacher.org/state-policy/explore/medicaid-family-planning-eligibility-expansions>

About sex education requirements at the state level, see

<https://www.guttmacher.org/state-policy/explore/sex-and-hiv-education>

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