



# ARKANSAS

is one of 23 states receiving  
a failing grade

WASHINGTON, D.C. — The Population Institute released its ninth annual *50 State Report Card on Reproductive Health and Rights* today. It shows that there is still a large division between states that are prioritizing reproductive health and rights and those that are seeking to curtail access and rights. The U.S. again received a failing grade. While the election of Joe Biden and Kamala Harris portends good news for reproductive health and rights at the federal level, the reshaping of the federal judiciary by the Trump/Pence administration could prove disastrous for decades to come for reproductive health, rights and justice.

Jennie Wetter, the Institute’s director of public policy, said, “This year showed that nothing will stop “anti-choice” advocates from seeking to restrict access to reproductive health care. They sought in several states to use the pandemic as a pretext for denying access to abortion services by classifying it as nonessential health care. The Trump administration also sought to require, in the midst of a pandemic, that people seeking a medication abortion first see a doctor in person putting their health needlessly at risk. While courts blocked some of these and other attacks, opponents will keep trying. If they ultimately succeed, access to abortion, contraception, and other reproductive health services could be further curtailed.”

## METHODOLOGY

Using thirteen criteria, the Institute’s report card ranked each of the 50 states and the District of Columbia on four broad indicators relating to reproductive health and rights: effectiveness, prevention, affordability, and access. Based upon their composite scores (0-100), each state received a “core” grade (A, B, C, D or F), but some states received an additional “plus” or a “minus” for factors not reflected in the core grade.

## ARKANSAS’S GRADE

**Arkansas** received an “F” this year. Most notably, Arkansas received poor marks for:

**Arkansas** requires HIV education, but does not mandate that education include condoms.

**Arkansas** has the following laws, which make it unnecessarily difficult for someone to have an abortion: abortion is prohibited after 20 weeks of pregnancy; the patient must undergo mandatory counseling including information on fetal pain after 20 weeks’ gestation; there is a mandatory waiting period of 72 hours between pre-abortion counseling and undergoing the procedure; parental consent is required; and clinicians who perform medication abortion

procedures are required to be licensed physicians in the presence of the patient which by extension bans telemedicine.

**Arkansas** received a “minus” because of a law that prevents abortion providers from receiving family planning funding.

## STATE GRADES

Five states (California, Hawaii, New Jersey, Oregon, and Washington) received an “A” in this year’s report. Twenty-three states received a failing grade: Alabama, Arizona, Arkansas, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Wisconsin, and Wyoming.

## THE NATIONAL GRADE

For the second year in a row, the U.S., as a whole, received an ‘F’. Several factors account for the failing grade, most notably:

### Title X

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 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.

### Federal Courts

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.

# ARKANSAS

## LOOKING AHEAD

In releasing this year's report card, Wetter warned that, "While the Biden/Harris administration will be able to change a number of policies put into place by the previous administration, not everything will be easily or quickly fixed. Taking advantage of the changes in the U.S. Supreme Court and the lower federal courts, opponents of reproductive health and rights will unleash a flurry of legal challenges to any legislative and regulatory changes. If successful, those challenges could set back progress on reproductive health, rights, and justice issues for decades to come. Unfortunately, the people most impacted will be underserved populations, including low income people, the Black community, other communities of color, young people, and the LGBTQ+ community."

## BREAKDOWN OF SCORES

# F- 37.4 / 100

### EFFECTIVENESS

#### Teen Pregnancy Rate 7.3 / 10

Arkansas has a teen pregnancy rate of 46 pregnancies per 1,000 women aged 15-19. We set 30 pregnancies per 1,000 teen women by 2025 as the goal, which indicates that Arkansas has achieved 73.3% of the objective.

#### Unintended Pregnancy Rate 8.6 / 10

36% of Arkansas's total pregnancies are unintended, compared to the objective of 30%. Thus, Arkansas has achieved 86.4% of the target rate.

### PREVENTION

#### Sex Education 0 / 15

Arkansas requires HIV education, but does not mandate that education include condoms.

#### Nurses Authorized to Dispense Medications 5 / 5

Clinical Nurse Specialists, Nurse Practitioners, and Nurse Midwives are authorized to dispense medications including birth control and STI treatment which increases access to health care.

#### Emergency Contraception in Emergency Room 2.5 / 5

Arkansas requires emergency rooms to provide information about emergency contraception, but does not require they dispense it upon request to sexual assault victims.

#### Minors' Access to Contraception 5 / 5

Arkansas explicitly allows all minors to consent to contraceptive services.

### AFFORDABILITY

#### Medicaid Expansion 8 / 15

Arkansas has expanded their Medicaid program under the Affordable Care Act, but they have enacted harmful waivers such as work requirements and lock out penalties that limit the number of people who can use the expansion.

#### Medicaid Family Planning Expansions 0 / 5

Arkansas currently does not offer an expansion for family planning services to the Medicaid plan.

#### Insurance Coverage of Abortion 0 / 5

Arkansas restricts coverage of abortion in private insurance plans by only allowing abortion coverage for cases of life, rape, or incest in health insurance plans sold on the insurance exchanges.

### ACCESS

#### Abortion Restrictions 1 / 10

Arkansas has the following laws, which make it unnecessarily difficult for someone to have an abortion: abortion is prohibited after 20 weeks of pregnancy; the patient must undergo mandatory counseling including information on fetal pain after 20 weeks' gestation; there is a mandatory wait-ing period of 72 hours between pre-abortion counseling and undergoing the procedure; parental consent is required; and clinicians who perform medication abortion procedures are required to be licensed physicians in the presence of the patient which by extension bans telemedicine.

#### TRAP Laws 0 / 5

Arkansas has enacted a series of TRAP Laws which are targeted regulation of abortion providers beyond what is necessary to ensure patient safety.

#### Abortion Policy With Loss of Roe 0 / 5

Arkansas has policies in place that could ban abortion if Roe is struck down.

#### Abortion Access 0 / 5

77% of women in Arkansas live in a county without an abortion provider.

For the complete report card and additional information, please visit: [www.populationinstitute.org/reportcard](http://www.populationinstitute.org/reportcard)

A special thanks to the Guttmacher Institute whose research made this report card possible.