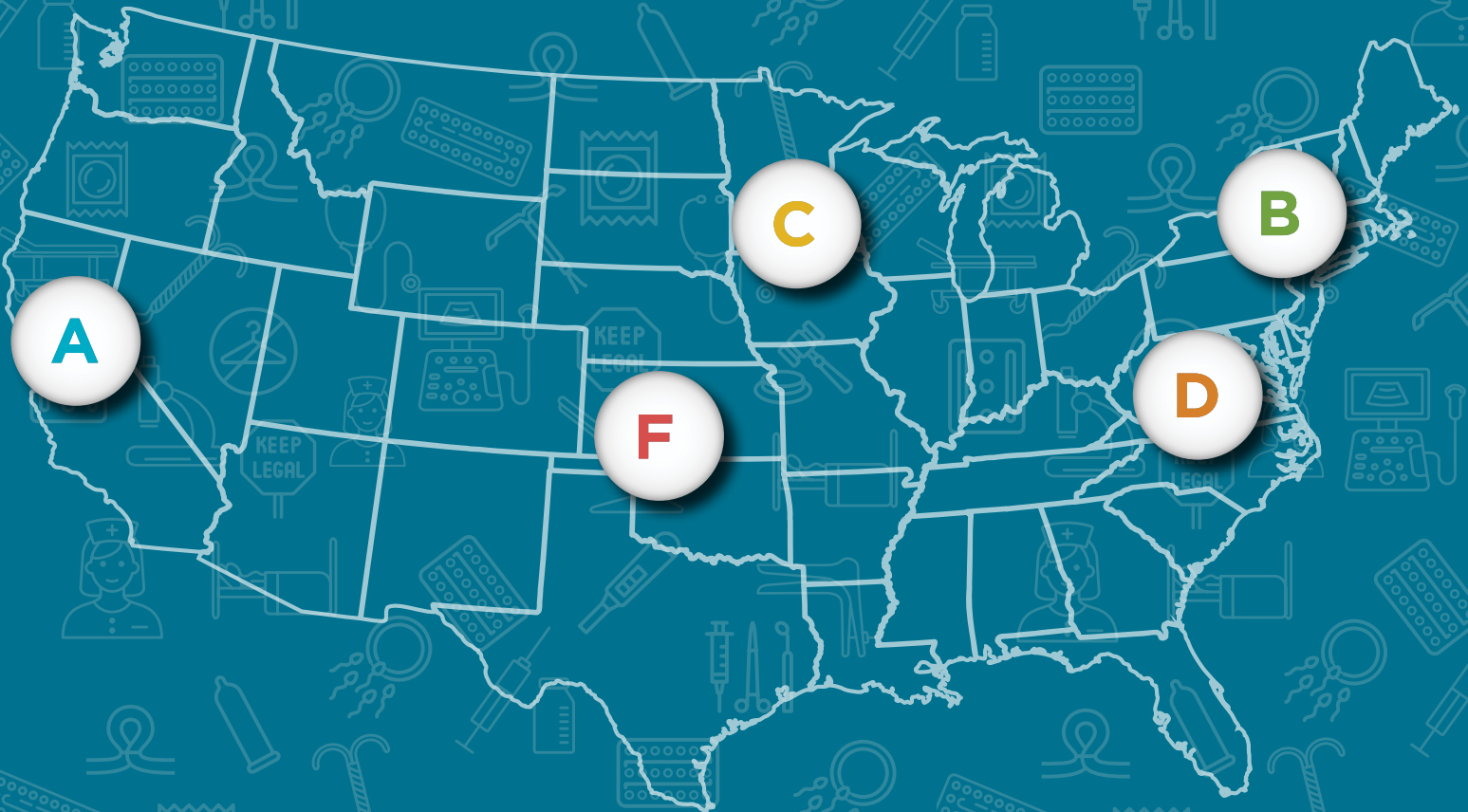


THE STATE OF REPRODUCTIVE HEALTH AND RIGHTS: A 50-State Report Card



11 States Receive a “B” or Higher/26 States Receive a “D” or Lower

For the Third Year in a Row, US Receives Failing Grade

For a decade now, the Population Institute has released a 50-state report card on reproductive health and rights showing how opponents of reproductive rights are creating a United States where there is a deep divide between those who have access to reproductive health care and those who do not. In the ten years of the report card, the U.S. overall grade has dropped from a C- to an F, and the number of failing states has grown dramatically — from nine the first year to 25 this year.

Anti-reproductive rights advocates have been relentlessly attacking access to evidence-based sex education, family planning, abortion care, and transgender affirming health care for years. 2021 was an unprecedented year for attacks on bodily autonomy, with a relentless deluge of bills going after abortion rights and trans rights in the states. Unfortunately, the battle over bodily autonomy shows no signs of stopping.

Over the course of the Trump/Pence administration, there was a reshaping of the federal court system, with President Trump appointing three conservative Supreme Court justices and over 200 justices to the lower federal courts. This will have devastating impacts on access to abortion, family planning, and LGBTQ+ rights, possibly for generations. Already, in December 2021, the Supreme Court heard a case (*Dobbs v. Jackson Women's Health Organization*) that has the potential to overturn *Roe v. Wade*.

The Biden/Harris administration has taken steps to undo some of the harms done by the previous administration, such as eliminating the 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. However, the damage that was done cannot be fixed just by eliminating the bad policy. It is going to take years to reverse the harm inflicted by the Trump/Pence administration.

It is also not enough; reproductive rights were unrealized for many before the Trump/Pence administration, and just undoing their policies will not ensure reproductive freedom for all. Reproductive rights need to be prioritized in policy to achieve a society in which everyone has complete bodily autonomy and is able to exercise reproductive freedom.



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

Federal Courts

The new 6-3 conservative Supreme Court has wasted no time in taking up an abortion case (*Dobbs v. Jackson Women's Health Organization*) that has the potential to eliminate or completely gut *Roe v. Wade*. According to the Guttmacher Institute, if the court were to overturn *Roe*, it would potentially eliminate abortion access in 26 states. 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, LGBTQ protections, and transgender rights.

Texas's S.B. 8

Texas passed a six-week abortion ban that allows anyone in the U.S. to sue Texas abortion providers and those who assist patients in receiving an abortion. This impacts the national grade because according to the Guttmacher Institute, one in 10 women* of reproductive age in the U.S. live in Texas. This means that one in 10 women of reproductive age in the U.S. no longer enjoy the right to abortion care guaranteed by *Roe v. Wade*.

Title X

The Trump/Pence administration's imposition of a “domestic gag rule,” which barred Title X clinics from counseling patients about abortion or referring them to abortion services, had a devastating impact on a program that was providing family planning services to 4 million households a year. While the Biden/Harris administration has rescinded the rule, the damage to the Title X network has been done, decimating access to affordable contraceptive care for people living on low incomes which will take time and increased funding to rebuild.

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 tenth 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 three broad indicators or policies relating to reproductive health and rights:

Prevention (35 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 (30 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 (35 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. Comprehensive sex education in the schools (15 points maximum)
2. Nurses authorized to dispense medications (5 points maximum)
3. Emergency contraception mandated in the emergency room (5 points maximum)
4. Minors access to contraceptive services (10 points maximum)
5. Medicaid expansion under the Affordable Care Act (15 points maximum)
6. A Medicaid "waiver" expanding eligibility for family planning services (10 points maximum)
7. Insurance coverage of abortion services (5 points maximum)
8. An absence of burdensome abortion restrictions (10 points maximum)
9. An absence of TRAP Laws (Targeted Regulation of Abortion Providers) (5 points maximum)
10. Abortion policy in absence of *Roe* (10 points maximum)
11. County-level access to family planning and abortion services (10 points maximum)

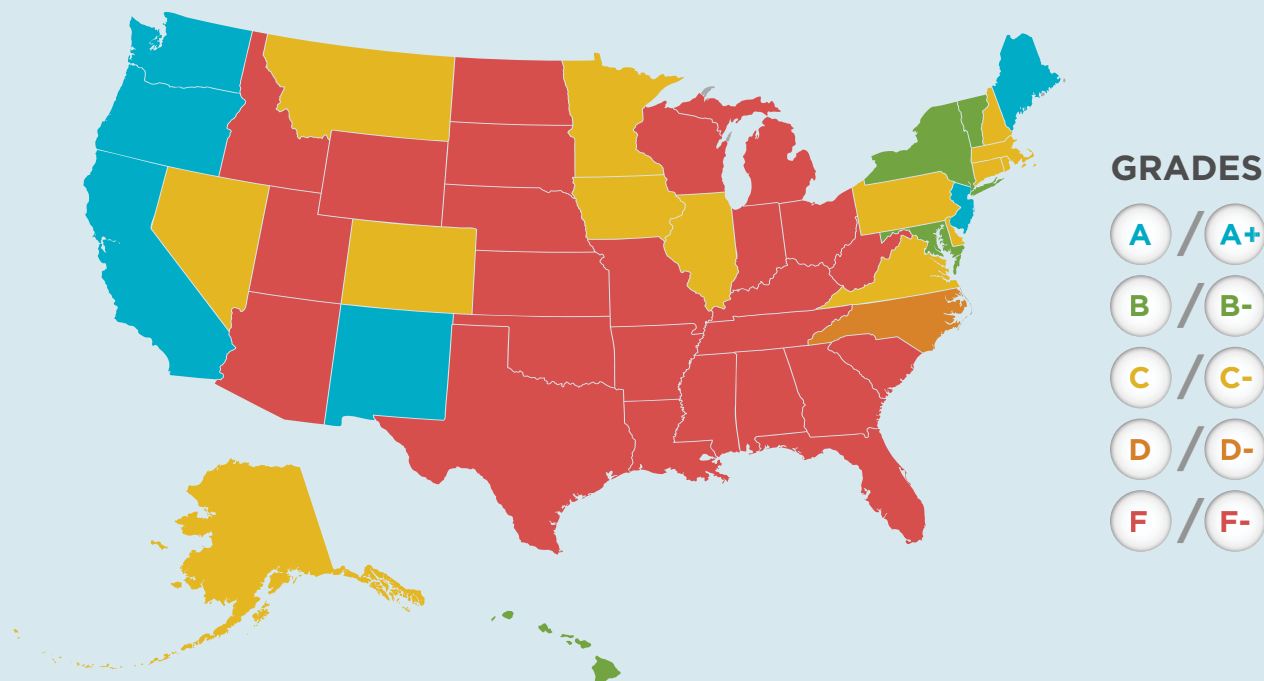
Core Grade: Each state is assigned a "core" grade based upon the following grading system:

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	21	F-	IL	69	C	MT	63	C-	RI	67	C+
AK	65	C	IN	31	F-	NE	32	F-	SC	29.5	F-
AZ	35	F-	IA	63	C-	NV	64	C	SD	9	F-
AR	35.5	F-	KS	19	F	NH	66	C	TN	33	F-
CA	100	A+	KY	28	F-	NJ	88	A-	TX	30.5	F-
CO	64.5	C-	LA	23	F	NM	93	A	UT	24	F
CT	70	C+	ME	88	A	NY	85	B	VT	74	B
DE	69	C-	MD	83	B-	NC	57	D-	VA	68.5	C-
DC	82	B+	MA	68	C-	ND	25	F-	WA	94	A+
FL	30	F	MI	19	F-	OH	20	F-	WV	40	F
GA	37	F	MN	68	C	OK	28	F	WI	18	F-
HI	80	B-	MS	16	F-	OR	93	A+	WY	44	F
ID	44	F-	MO	34	F-	PA	63.5	C-			

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 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>

Acknowledgments

We wish to express our deep appreciation to the Guttmacher Institute, the Kaiser Family Foundation, Planned Parenthood Federation of America, National Health Law Program and other organizations working in this field for the research and reporting that made this report card possible.



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