



Access to Reproductive Health and Rights are in Peril: U.S. Gets an “F”

WASHINGTON, D.C. – Today the Population Institute released its tenth annual 50 State Report Card on Reproductive Health and Rights. Over the past decade, the gap between states prioritizing reproductive health and rights and those seeking to eliminate them has continued to widen. The report card, the most comprehensive of its kind, tracks multiple indicators of reproductive health and rights, including access to family planning, sex education, and abortion services. 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 from nine the first year to 25 this year. This is disastrous for people living in those states.

Jennie Wetter, the Institute's director of public policy, said, “Looking back over the decade of preparing the report card, it is alarming to see how much has changed. We started with only nine states failing on reproductive health and rights, and this year, there are 25. Unfortunately, anti-abortion legislators are showing no signs of stopping the attack. Already with Texas's S.B. 8 in effect, one in 10 women* of reproductive age live in a state where abortion rights affirmed by *Roe v. Wade* are out of reach, with more states promising to pass similar laws. And they won't stop there. Family planning, sex education and LGBTQ+ rights are firmly in their sights and all of this will have devastating consequences.”

Methodology

Using 11 criteria, the Institute's report card ranked each of the 50 states and the District of Columbia on three broad indicators relating to reproductive health and rights: prevention, affordability, and access. Based upon their composite scores (0-100), each state received a “core” grade (A, B, C, D, or F). Some states received an additional “plus” or “minus” for factors not reflected in the core grade.

State Grades

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

The National Grade

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

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.

Looking Ahead

In releasing this year's report card, Wetter warned that, “With the possibility looming that the Supreme Court will gut *Roe v. Wade*, abortion rights in this country are hanging by a thread. We already know that those rights were never enough because for far too many people, *Roe* has only ever been a right in name only. If the Supreme Court guts *Roe* the impacts will be devastating and will set back progress on reproductive health, rights, and justice issues for decades to come. Unfortunately, this devastation will not be felt equally. Those with resources will be able to travel to access the care they need. And that means the cruel impacts of the loss of rights will be disproportionately felt by Black and brown people, people with low-incomes, young people, those with disabilities and the LGBTQ+ community. Now is the time to fight harder than ever to ensure reproductive freedom for all.”

*Population Institute (PI) is intentionally using women in statements where the data do not include nonbinary people or trans men in the research. Otherwise, PI uses gender-inclusive language to include all individuals who may seek abortion services.