

# THE STATE OF REPRODUCTIVE HEALTH AND RIGHTS: A 50-STATE REPORT CARD

## A TALE OF 2 AMERICAS

**12**

STATES RECEIVE  
A "B" OR HIGHER

**28**

STATES RECEIVE  
A "D" OR LOWER

**F**

US RECEIVES A  
FAILING RADE



# THE 50-STATE REPORT CARD

rePROs Fight Back, an initiative of the Population Institute, has released their 50-state report card on reproductive health and rights. This year with the U.S. Supreme Court overturning *Roe v. Wade*, which protected the right to abortion, it is more apparent than ever that there is a tale of two Americas: one in which people can exercise their reproductive rights, and another in which they cannot. In the eleven 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 26 this year.

Abortion access was dealt a crippling blow this year with the Supreme Court ruling in *Dobbs v. Jackson Women's Health Organization* which overturned *Roe v. Wade*. States are now free to ban or severely restrict access to abortion and so far 14 states have done so, with a total of 24 states expected to ban abortion in the near future. According to the Guttmacher Institute, this has left 18 million women of reproductive age, plus transgender and non-binary people, unable to access abortion care in their state.

This is a human rights crisis leaving people without critical access to basic health care. Unfortunately, anti-rights advocates have no intention of stopping their attacks on rights at abortion. For years they have been attacking evidence-based sex education, family planning, gender-affirming care, and LGBTQ+ rights, and the loss of abortion rights will only embolden them to fight harder against these rights. They have already made it clear they plan to next turn to birth control, gender-affirming care, and LGBTQ+ rights while also continuing to restrict access to abortion. The fight for bodily autonomy and reproductive freedom is far from slowing down.

The Biden/Harris administration has taken important steps to try to mitigate the harm of the loss of *Roe*, but in the face of a human rights crisis of this scale these actions are not enough to ensure people who need an abortion are able to get one. Reproductive rights were unrealized for many before the *Dobbs* decision, and now, many more are suffering lack of access. This year made it clear that we need to prioritize the fight for reproductive justice. Now is the time to dream big for the future we want where everyone has complete bodily autonomy and is able to exercise reproductive freedom and push policymakers to do the same.

## THE UNITED STATES GETS AN “F”

For the fourth year in a row, the U.S., as a whole, received an “F”. The decision in *Dobbs v. Jackson Women's Health Organization* was the major reason for this grade:

**Dobbs Decision** — The 6-3 majority conservative Supreme Court wasted no time in decimating access to abortion care. In June 2022, the Supreme Court eliminated the federal right to abortion access and sent it back to the individual states to decide abortion laws. As of the release of this report card, 14 states have banned or severely restricted access to abortion, with 24 states expected to ban abortion. People who live in states where abortion is or will be illegal are forced to either travel to access abortion care, expose themselves to legal risk by self-managing, or be forced to carry the pregnancy to term. This is a gross violation of human rights and strikes a blow to values of individual agency, bodily autonomy, and equitable access to health care.



## 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, rePROs Fight Back, for the eleventh 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 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 (15 points maximum)
9. An absence of TRAP Laws (Targeted Regulation of Abortion Providers) (5 points maximum)
10. Access to medication abortion (5 points maximum)
11. Abortion access in absence of Roe (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**

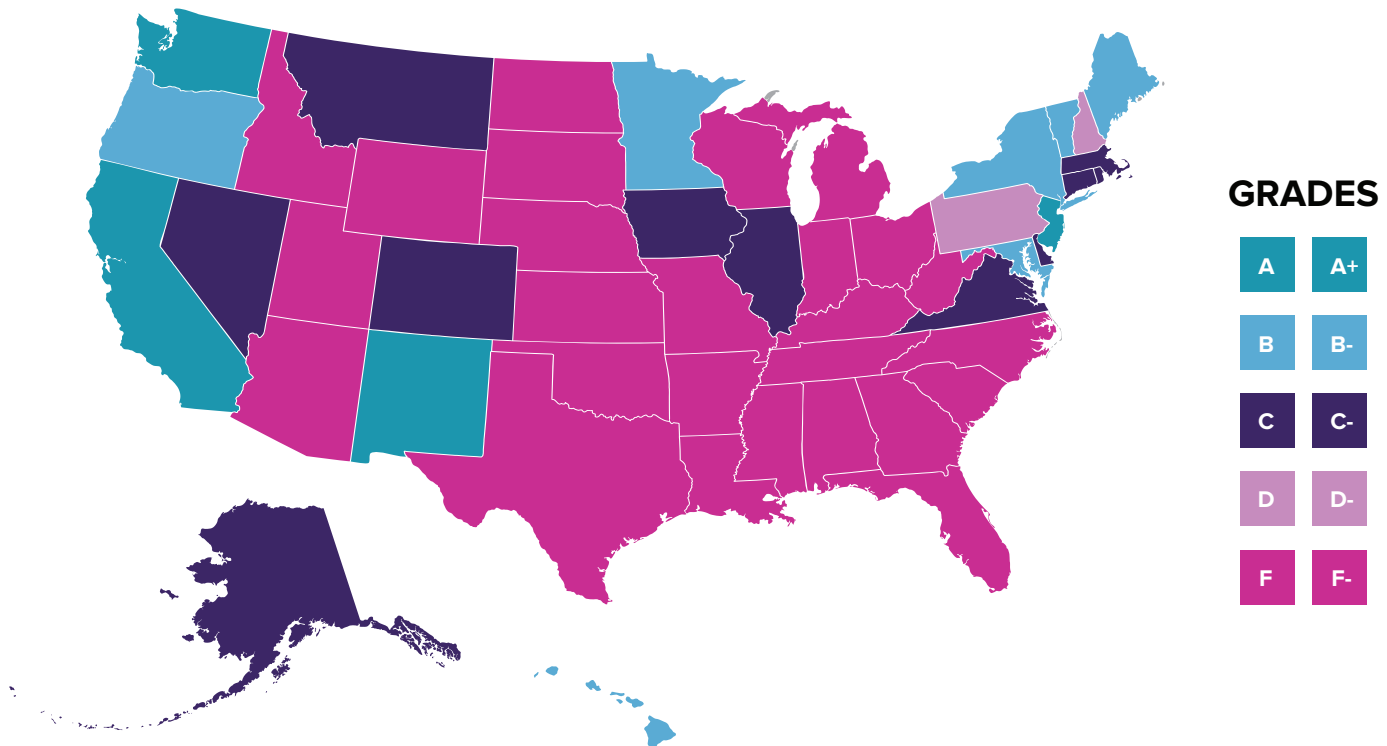
**D: 50-60.9 points**

**F: < 49.9 points**

STATE	TOTAL SCORE	LETTER GRADE	STATE	TOTAL SCORE	LETTER GRADE	STATE	TOTAL SCORE	LETTER GRADE	STATE	TOTAL SCORE	LETTER GRADE
AL	5	F-	IL	70	C	MT	67	C-	RI	63	C+
AK	68.5	C	IN	22	F-	NE	16	F-	SC	29.5	F-
AZ	33	F-	IA	64.5	C-	NV	62.5	C	SD	5	F-
AR	25.5	F-	KS	11.5	F-	NH	57	D-	TN	18	F-
CA	100	A+	KY	18	F-	NJ	88	A-	TX	24.5	F-
CO	61.5	C-	LA	20	F-	NM	93	A	UT	23.5	F
CT	70	C+	ME	82	B	NY	85	B	VT	74	B
DE	67	C-	MD	81	B-	NC	45	F-	VA	66.5	C-
DC	82	B+	MA	65	C-	ND	33	F-	WA	95	A+
FL	25.5	F-	MI	21.5	F-	OH	21.5	F-	WV	32	F
GA	25	F	MN	75	B	OK	23	F-	WI	15	F-
HI	80	B-	MS	15	F-	OR	83	B+	WY	39.5	F
ID	30	F-	MO	28	F-	PA	58	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.reprosfightback.org/reportcard](http://www.reprosfightback.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>

About the anti-LGBTQ+ policies, see [https://www.lgbtmap.org/equality-maps/healthcare\\_laws\\_and\\_policies](https://www.lgbtmap.org/equality-maps/healthcare_laws_and_policies)

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