## STATE POLICIES IN BRIEF As of MARCH 1, 2012



## State Funding of Abortion Under Medicaid

**BACKGROUND:** First implemented in 1977, the Hyde Amendment, which currently forbids the use of federal funds for abortions except in cases of life endangerment, rape or incest, has guided public funding for abortions under the joint federal-state Medicaid programs for low-income women. At a minimum, states must cover those abortions that meet the federal exceptions. Although most states meet the requirements, one state is in violation of federal Medicaid law, because it pays for abortions only in cases of life endangerment. Some states use their own funds to pay for all or most medically necessary abortions, although most do so as a result of a specific court order.

## **HIGHLIGHTS:**

- 32 states and the District of Columbia follow the federal standard and provide abortions in cases of life endangerment, rape and incest.
  - 2 of these states also provide state funds for abortions in cases of fetal impairment.
  - 3 of these states also provide state funds for abortions that are necessary to prevent grave, long-lasting damage to the woman's physical health.
- 1 state provides abortions only in cases of life endangerment, in apparent violation of the federal standard.
- 17 states use state funds to provide all or most medically necessary abortions.
  - 4 of these states provide such funds voluntarily.
  - 13 of these states do so pursuant to a court order.



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Life Endangerment, Rape and Incest	STATE FUNDING OF ABORTION UNDER MEDICAID				
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Arkansas					
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