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Attorney General Brown Joins Multistate Coalition to Support Ending Needless Barriers to Mifepristone Access in North Carolina *18 Attorneys General File Amicus Brief Arguing that North Carolina Mifepristone Requirements Conflict with FDA Jurisdiction*

BALTIMORE, MD (October 18, 2024) – Attorney General Anthony G. Brown today joined a coalition of 18 attorneys general in opposing needless barriers to mifepristone access imposed by the state of North Carolina. The coalition filed an [amicus brief](#) in *Bryant v. Stein*, asking the United States Court of Appeals for the Fourth Circuit to uphold the District Court’s determination that North Carolina cannot impose restrictions on mifepristone access that the Food and Drug Administration (FDA) has explicitly determined are unnecessary to ensure patient safety.

“The availability of reproductive health products should not be subject to the whims of politics,” **said Attorney General Brown**. “Mifepristone has been on the market for decades. By preserving access, we preserve people’s right to make decisions about their health and their bodies.”

In its brief, the coalition of attorneys general argued that mifepristone has been safely used in reproductive healthcare for decades since its initial approval by the FDA. When the FDA first approved its use in 2000, it added conditions for its distribution to ensure safe use. Since then, in line with its federal mandate to balance drug safety with patient access, the FDA has adopted a risk evaluation and mitigation strategy (REMS) program for mifepristone. As required by federal law, the FDA has periodically reevaluated the mifepristone REMS program and has reduced the original restrictions imposed on mifepristone to better balance safety with access. Therefore, the coalition argues that North Carolina’s restrictions on mifepristone, which reinstate the same restrictions that the FDA has explicitly considered and removed, create unnecessary burdens to reproductive healthcare.

In 2023, North Carolina revised its laws governing pregnancy termination. The state added several archaic and needless restrictions around the use and distribution of mifepristone, including physician-only prescribing; in-person prescribing, dispensing, and administering; the

scheduling of in-person follow-up appointments; and non-fatal adverse event reporting to the FDA.

A North Carolina federal district court judge ruled that while North Carolina may impose certain restrictions on abortion care, it cannot override the FDA's determination to remove these specific restrictions on mifepristone. The coalition's amicus brief defends the District Court's decision as striking the proper balance between state authority and FDA regulation.

In signing the brief, Attorney General Brown joins the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.

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