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## **Attorney General Brown Urges Federal Court to Maintain Access to Emergency Abortion Care** *24 AGs Call on Ninth Circuit to Allow Emergency Abortion Care in Idaho*

**BALTIMORE, MD (October 23, 2024)** – Attorney General Anthony G. Brown today joined a coalition of 24 attorneys in filing an [amicus brief](#) in *U.S. v. Idaho* to protect access to emergency abortion care in Idaho. The brief urges the United States Court of Appeals for the Ninth Circuit to uphold a lower court’s preliminary injunction blocking Idaho’s restrictive abortion ban, which does not include an exception for emergency abortion care. The coalition argues that preventing pregnant patients from receiving emergency abortion care can seriously harm patients’ health and overwhelm healthcare systems in Idaho and other states.

“We will not allow extremist agendas to jeopardize people’s health and risk a public health crisis,” **said Attorney General Brown**. “No one should be forced to continue a pregnancy if it puts their life in danger. Everyone deserves access to the emergency medical care necessary for a long, healthy life.”

The federal Emergency Medical Treatment and Labor Act (EMTALA) requires hospitals that operate an emergency department and participate in Medicare – virtually every hospital in the country – to treat all patients who have an emergency medical condition before discharging or transferring them. Idaho’s abortion ban does not include an exception for emergency abortion care. Attorney General Brown and the coalition argue that several government agencies and courts have long determined that emergency abortion care and other pregnancy-related emergencies are covered under EMTALA.

The brief argues that allowing Idaho to override EMTALA’s protections for emergency abortion care can lead to pregnant patients dying or suffering irreversible injuries. The brief also notes that this action by Idaho could cause healthcare providers to leave the state, leading to further declines in patient care access and pregnant patients seeking care in other states, which can overwhelm their health care systems. In fact, within a few months of Idaho’s abortion ban going into effect, nearly one in four obstetricians left the state or retired. This past March, a multistate coalition of attorneys general [filed an amicus brief](#) with the United States Supreme Court in this

case, urging the court to maintain the district court's preliminary injunction. The court ultimately sent the case back to the Ninth Circuit with the district court's stay intact.

In filing today's brief, Attorney General Brown joins the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawai'i, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin.

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