



Office of the Governor

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Reproductive Freedom Alliance files brief to protect access to reproductive healthcare, abortion medication

SANTA FE – Today, the Reproductive Freedom Alliance filed an amicus curiae brief with the Supreme Court in the case of *Food and Drug Administration, et al., v. Alliance for Hippocratic Medicine*, arguing that, if the Court allows a recent Fifth Circuit decision to stand, it could undermine Governors’ ability to provide adequate healthcare services and would have far-reaching implications beyond reproductive healthcare.

“New Mexico has seen the impact of the Dobbs decision directly and has stepped up to provide reproductive health care for thousands of women who have lost access to services,” said **Gov. Michelle Lujan Grisham**, one of 22 governors in the Alliance. “Millions more will lose access if this decision is allowed to stand. We cannot and will not allow that to happen.”

Mifepristone is a safe, highly effective, and widely used medication prescribed for medication abortions and miscarriage management – used in well over half of all abortions. This medication is a critical component of the reproductive healthcare system in states where abortion remains legal. In addition, mifepristone is regularly used in the safe management and treatment of Cushing’s syndrome and uterine leiomyomas. Any rollback of access to mifepristone would cause major disruptions to state healthcare systems, further strain providers, and pose serious health risks to millions of women. Ideological extremists shouldn’t be allowed to overrule medical experts and decades of scientific evidence by curtailing access to safe, effective medication.

Furthermore, this lawsuit seeks to upend the federal FDA review process – a time-tested gold standard for rigor and risk mitigation – that Governors rely on to protect the health and well-being of their constituents. If the Court allows this decision to stand, there will be severe consequences for patient access to a wide range of safe and effective medications.

The brief argues:

“...[Governors] rely on FDA determinations to meet the needs of those seeking healthcare in their states. Nothing about this framework contemplates litigants outside of Reproductive Freedom Alliance states who morally disapprove of a particular drug using out-of-state federal courts to invalidate FDA’s expert judgment...This strategy, if successful, would have an enormously disruptive impact on state governance and hamstring Governors’ ability to fulfill

their mandate of protecting public health and safety in the reproductive healthcare context and beyond.”

A link to the full amicus brief can be found [here](#).

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The Reproductive Freedom Alliance is a non-partisan coalition of 22 Governors committed to protecting and expanding reproductive freedom in our states. Members include: Arizona Governor Katie Hobbs, California Governor Gavin Newsom, Colorado Governor Jared Polis, Connecticut Governor Ned Lamont, Delaware Governor John Carney, Guam Governor Lourdes Leon Guerrero, Hawai'i Governor Josh Green, Illinois Governor JB Pritzker, Maine Governor Janet Mills, Maryland Governor Wes Moore, Massachusetts Governor Maura Healey, Michigan Governor Gretchen Whitmer, Minnesota Governor Tim Walz, New Jersey Governor Phil Murphy, New Mexico Governor Michelle Lujan Grisham, New York Governor Kathy Hochul, North Carolina Governor Roy Cooper, Oregon Governor Tina Kotek, Pennsylvania Governor Josh Shapiro, Rhode Island Governor Daniel McKee, Washington Governor Jay Inslee, and Wisconsin Governor Tony Evers.

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