

**July 8, 2022**

**ATTORNEY GENERAL RAOUL ISSUES STATEMENT IN RESPONSE TO PRESIDENT'S EXECUTIVE ORDER ON REPRODUCTIVE HEALTH CARE**

**Chicago** — Attorney General Kwame Raoul today issued the following statement in response to President Joe Biden's executive order aimed at protecting access to reproductive health care services.

"I appreciate President Biden's action and recognition of the need for a national solution preserving women's rights to make their own reproductive health care decisions. I welcome the president's direction on safeguarding and expanding access to medication abortion, emergency contraception and long-acting contraception. The president's executive order is also a needed step toward protecting patients' privacy rights by strengthening protections for sensitive health information and protecting consumers from deceptive and fraudulent practices; and ensuring the safety of patients, providers and clinics.

"In Illinois, we have taken steps to preserve the fundamental right to abortion, most notably through the enactment of the Reproductive Health Act that my office supported. My office has also released '[Know Your Reproductive Rights](#),' a free online resource to ensure that members of the public understand their rights under Illinois law. Furthermore, we issued a [letter to law enforcement](#) around the state to clarify that Illinois does not criminalize abortion. Full stop.

"Notwithstanding the protections in Illinois, I support the president's call for federal legislation reestablishing a fundamental right to abortion nationwide. I would like to thank President Biden and Vice President Harris for their efforts to support state attorneys general in this critical work. I remain committed to enforcing existing reproductive health protections in Illinois law and working with Illinois policymakers to expand protections under state law."

# KNOW YOUR REPRODUCTIVE RIGHTS

The following information is intended to answer questions about your legal rights. You should talk to a health care provider about questions regarding your reproductive health, including whether and when you can terminate your pregnancy.

Exercise caution when speaking with a new health care provider or searching online for health information. Do not share your personal health information except with a trusted provider. This document was last updated June 24th, 2022.

## DOES ILLINOIS LAW PROTECT MY RIGHT TO AN ABORTION?

Yes. Illinois law protects your right to have an abortion and treats abortion like other kinds of health care. You are entitled to this right regardless of gender identity, sexual orientation, immigration status, race, ethnicity, disability status, or any other protected characteristic.

## DOES THE U.S. SUPREME COURT OVERTURNING ROE V. WADE MEAN ABORTIONS ARE ILLEGAL?

No, not in Illinois. On June 24, 2022, the Supreme Court said that the U.S. Constitution does not include a right to abortion. But Illinois law separately protects the right to abortion.

## CAN I GET A PRESCRIPTION FOR ABORTION MEDICATION ONLINE IN ILLINOIS?

Yes. In Illinois, you can get a prescription for medication abortion through an online telehealth appointment with a medical provider and have the medication sent to you by mail. Providers who offer medication abortion generally do so up to around 10-11 weeks of pregnancy.

## WILL MY HEALTH INSURANCE COVER AN ABORTION?

Maybe. If you have insurance with pregnancy benefits, then it likely also covers care related to terminating your pregnancy. Illinois Medicaid and most Illinois-based private health insurers cover abortion in policies that include pregnancy-related care. Contact your insurance provider for your policy information.

## DOES ILLINOIS LAW PROTECT MY RIGHT TO RECEIVE OTHER REPRODUCTIVE HEALTH CARE?

Yes. The State cannot interfere with your decisions regarding reproductive care, including whether or not to use birth control, how to manage a pregnancy loss, and decisions about giving birth like whether to have caesarean surgery or epidural anesthesia.

## ARE THERE LIMITS ON WHEN A PROVIDER CAN GIVE ME AN ABORTION?

Talk to your provider. Illinois law does not set a specific time limit. Health care providers perform abortions until "viability," which is determined by your individual circumstances. In some situations, a provider could determine that viability exists around 24-28 weeks into pregnancy. Even if your provider determines that your pregnancy has reached viability, you may be able to have an abortion if your provider thinks it is necessary for your health.

## DO I HAVE TO BE A RESIDENT OF ILLINOIS TO RECEIVE AN ABORTION IN ILLINOIS?

No. Residents of other states may receive health care in Illinois, including abortion and other reproductive care. However, Illinois does not regulate how out-of-state insurance plans provide coverage, so you should speak to your insurer and health care provider to understand your payment options.

## I'M UNDER 18 YEARS OLD; CAN I GET AN ABORTION?

Yes. Illinois protects your right to an abortion too.

