

The *Bryant* Case

Case Name: *Bryant v. Stein*

Case Status: Motion to intervene granted on March 10, 2023.

Significance: Whether states, like North Carolina, can protect the health, safety, and welfare of women and girls through pro-life legislation.



Background: North Carolina law protects women and girls from the dangers of chemical abortion drugs. The law requires the presence of a licensed physician for the administration of chemical abortion drugs and an ultrasound in most cases to determine the gestational age of the child or diagnose a potentially life-threatening condition, such as an ectopic pregnancy. Informed consent from the patient prior to administering the drugs is required. The law also includes a 72-hour waiting period before women and girls can consent to taking chemical abortion drugs, so abortion businesses are less likely to make women feel that abortion is their only option. In January 2023, an abortionist sued the state of North Carolina over these commonsense protections, challenging five laws that aim at protecting maternal health and safety. The abortionist has wrongly claimed that the FDA’s approval of chemical abortion drugs and removal of safeguards supersede North Carolina’s ability to implement their own protections against the dangerous drugs. The *Dobbs* ruling makes clear that states can enact pro-life laws to protect women and unborn children against the dangers of abortion. Alliance Defending Freedom intervened in the lawsuit on behalf of the President Pro Tempore of the Senate and the Speaker of the House of Representatives of North Carolina, who are seeking to defend the state’s laws protecting women and girls.

Key Points

- Major chemical abortion drug manufacturers can’t ignore state laws protecting women and girls just to bolster their business.
- States can and should protect women and girls from drugs that cause harm by implementing commonsense protections like in-person dispensing of chemical abortion drugs.
- Women are not second-class citizens. They deserve health and safety protections like everyone else.

Key Facts

- The FDA removed numerous safeguards that were in place, including removing the in-person dispensing requirement and eliminating the requirement for prescribers to report non-fatal complications—including extreme bleeding and injuries requiring hospitalization. This puts the health and safety of women and girls at risk.
- North Carolina’s informed consent provision requires that women be informed of the following:
 - Medical risks of infection, hemorrhage, infertility, and psychological harm
 - Gestational age of the unborn baby
 - Opportunity to display the real-time view of the unborn baby and heart-tone monitoring
 - Financial assistance programs, alternatives to abortion, and knowing that she is free to withhold or withdraw her consent to abortion any time before or during the abortion.

The Bottom Line: North Carolina’s law protects the health, safety, and welfare of women and girls from the dangers of chemical abortion drugs.