



The FDA Case

Case Name: *U.S. Food & Drug Administration v. Alliance for Hippocratic Medicine*

Case Status: U.S. Supreme Court to hear oral argument on March 26, 2024.

Significance: Whether the FDA will be held accountable for removing the in-person doctor visits that it once deemed necessary to protect the health and safety of women using abortion drugs.



Background: In 2000, the FDA approved high-risk abortion drugs for use in the United States with specific safety standards in place. The FDA required doctors to provide ongoing care to women and girls using the drugs, including in-person visits to check for ectopic pregnancies, severe bleeding, and life-threatening infections. Since its initial approval, the FDA has removed nearly every safety standard it once determined essential for women's health and safety. By eliminating the requirement that doctors provide in-person care, the FDA has left young girls to take these high-risk drugs alone at home or in their dorm room. It also removed the requirement for prescribers to report all serious complications from these drugs.

In 2022, ADF attorneys—representing the Alliance for Hippocratic Medicine, three other national medical associations, and individual doctors—sued the FDA to hold it accountable for endangering the health and safety of women and girls.

In 2023, the U.S. Court of Appeals for the Fifth Circuit ruled that the FDA acted unlawfully in removing these important safety standards. The Supreme Court has agreed to review the case. Oral arguments will be held on March 26, 2024.

Key Points

- Women face severe, even life-threatening, harm because the FDA disregarded their health and safety.
- The FDA must be held accountable for violating its duty to protect women and girls.
- The pro-women doctors ADF represents have witnessed firsthand the harm to women and girls caused by the FDA's reckless actions.
- The FDA's own label for these abortion drugs says that roughly one in 25 women who take the drugs will end up in the emergency room.

The Bottom Line: Women should have the ongoing care of a doctor when taking high-risk drugs. The FDA betrayed women and girls when it removed the in-person doctor visits that protected women's health and well-being. The U.S. Supreme Court should hold the FDA accountable and ensure the agency reinstates the safety standards it originally deemed necessary.