

The *Hodes & Nausser* Case

Case Name: *Hodes & Nausser v. Kobach*

Case Status: Oral argument held at Johnson County District Court on August 8, 2023.

Significance: Whether states may enact laws that ensure women who seek abortion are informed about the nature and risks of the procedure and that require profit-driven abortion businesses to be transparent about what they sell.



Background: The Kansas Woman’s Right to Know Act ensures that women who seek abortion are informed about the nature and risks of the procedure, the medical assistance available for prenatal and postnatal care, the legal and financial obligations of the child’s father, the right to see an ultrasound of her baby, the right to withdraw consent before having the abortion, and other information about her pregnancy. It includes a 24-hour waiting period to ensure that abortion businesses cannot pressure women to have an abortion without any time to consider the risks, consequences, and alternatives. It also requires that facilities dispensing chemical abortion drugs include information about the risks of taking the drugs and information about abortion pill reversal and other resources if the woman chooses to continue her pregnancy. Additionally, abortionists are required to disclose whether they’ve been subject to disciplinary action, whether they have malpractice insurance, and whether they have privileges at any hospital within 30 miles of the facility. Two abortion businesses—including Planned Parenthood—and two abortionists in Kansas filed a lawsuit challenging the law, putting their own interests above their clients’. Alliance Defending Freedom serves as co-counsel alongside Kansas Attorney General Kris Kobach in defending this pro-woman, pro-life law.

Key Points

- Women deserve the right to truthful information about the risks of abortion before undergoing a serious, life-altering procedure.
- Abortion businesses prey on women facing unplanned pregnancies and make them feel as if abortion is their only option.
- No woman should ever feel so alone, coerced, or hopeless that she ends her child’s life through abortion.

Key Facts

- Kansas’ law requires that abortion businesses provide to women the basic information about the risks of abortion, other options available, and her rights surrounding the procedure.
- Kansas and every other state across the country can protect unborn children and the interests of women and families facing unplanned pregnancies by enacting laws like the Woman’s Right to Know Act.
- Planned Parenthood and other abortion businesses have a financial interest in performing abortions—not providing information and options vital to the health of a woman and her child.

The Bottom Line: Women deserve to know the whole truth about abortion.