

FEB 29 2024

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# SENATE CONCURRENT RESOLUTION

URGING THE MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO  
MONITOR *THE ALLIANCE FOR HIPPOCRATIC MEDICINE V. U.S. FOOD  
AND DRUG ADMINISTRATION* AND TAKE ACTION TO LIMIT THE CASE  
FROM FURTHER RESTRICTING ACCESS TO SAFE ABORTION OPTIONS.

1           WHEREAS, in *Dobbs v. Jackson Women's Health Organization*,  
2 142 S.Ct. 2228 (2022), the Supreme Court of the United States  
3 overruled nearly fifty years of federal precedent on  
4 reproductive rights, including *Roe v. Wade*, 410 U.S. 113 (1973),  
5 and *Planned Parenthood of Southeastern Pennsylvania v. Casey*,  
6 505 U.S. 833 (1992), by holding that the United States  
7 Constitution does not provide a right to abortion and authority  
8 to regulate abortion must be returned to the people and their  
9 elected representatives; and

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11           WHEREAS, the *Dobbs* decision opened the door for state  
12 legislatures to enact a host of restrictions on reproductive  
13 health options that were available pursuant to *Roe*; and

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15           WHEREAS, following the *Dobbs* decision, various states have  
16 taken steps to curtail or ban abortion outright, while the  
17 federal government and other states have been taking actions to  
18 protect access to abortion care services; and

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20           WHEREAS, at a time when people across the country are  
21 struggling to obtain abortion care services, it is critical that  
22 access to medication abortion be available so that health care  
23 providers have an additional method of providing a safe and  
24 effective abortion treatment to their patients; and

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26           WHEREAS, mifepristone is a drug that was first approved by  
27 the United States Food and Drug Administration (FDA) on  
28 September 28, 2000, as a safe and effective drug that can be  
29 used with the medicine misoprostol for medical termination of  
30 pregnancy through seven weeks gestation, which was subsequently  
31 extended to ten weeks gestation in 2016; and



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WHEREAS, in the United States District Court for The Northern District of Texas, the case of *The Alliance for Hippocratic Medicine et al. v. U.S. Food and Drug Administration, et al.*, Case No. 2:22-cv-00223-Z (*Alliance*), involves plaintiffs seeking to overturn the FDA's approval of mifepristone; and

WHEREAS, the ruling in *Alliance* could effectively ban mifepristone nationwide and bar health care providers from prescribing mifepristone even in states where abortion is legal, which would result in severe consequences on people's ability to access critical abortion and miscarriage health care; now, therefore,

BE IT RESOLVED by the Senate of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2024, the House of Representatives concurring, that the members of Hawaii's congressional delegation are urged to monitor the *Alliance* case currently pending before the United States District Court for the Northern District of Texas and take action to limit the case from further restricting access to safe abortion; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the members of Hawaii's congressional delegation.

OFFERED BY: *Michelle A. Kuderi*

