

THE Looming STORM

NEW ADMINISTRATION IS
PRIMED TO MAKE HUMAN
RIGHTS CRISIS WORSE

rePROs FIGHT BACK'S ANNUAL REPORT CARD HIGHLIGHTS THE LACK OF SEXUAL AND REPRODUCTIVE FREEDOM: U.S. GETS AN "F"

NORTH DAKOTA IS ONE OF 25 STATES RECEIVING A FAILING GRADE

F

WASHINGTON, D.C. – Today, rePROs Fight Back released its 13th annual *50 State Report Card on Sexual and Reproductive Health and Rights*. The report card tracks multiple indicators of sexual and reproductive health and rights, including access to family planning, sex education, abortion services, and gender-affirming care. While 2024 had some bright spots, including abortion-related ballot measures passing in 7 of the 10 states where they were on the ballot, we are still experiencing the fallout from the 2022 *Dobbs* decision. The human rights crisis unleashed by that decision has led states to continue restricting abortion access and has emboldened anti-rights advocates to increase their attacks on gender-affirming care. Due to these twin attacks on bodily autonomy and more, the U.S. received a failing grade.

Jennie Wetter, Director of rePROs Fight Back, said, "Last year showed that the fight for bodily autonomy is far from over. We saw voters turn out en masse to fight for abortion rights. We saw states enacting policies to protect abortion providers from investigations in hostile states. They were true beacons of hope in this gathering storm. Unfortunately, attacks on bodily autonomy show no signs of stopping in states hostile to abortion or transgender rights. Even worse we have already seen clear signs that anti-rights advocates intend to expand their attacks on trans people's access to healthcare and other LGBTQ+ rights, medication abortion, contraception, in particular young people's access to contraception, and much more."

IN THIS YEAR'S REPORT CARD, NORTH DAKOTA RECEIVED AN "F." IT WAS ONE OF 25 STATES AWARDED AN "F."

METHODOLOGY

Using 11 criteria, the rePROs report card ranked each of the 50 states and the District of Columbia on three broad indicators relating to reproductive health and rights: prevention, affordability, and access. The criteria include elements of reproductive health such as: sex education, minors' access to birth control, access to emergency contraception in the emergency room, Medicaid expansion—including family planning expansion—abortion policy, and more. Based on their composite scores of 0-100, each state received a "core" grade of "A," "B," "C," "D," or "F." Some states received an additional "plus" or "minus" for factors not reflected in the core grade.

NORTH DAKOTA'S GRADE

North Dakota received an "F" this year. Most notably, North Dakota received poor marks for:

North Dakota bans abortion after viability and has a mandatory waiting period of 24 hours

between counseling and procedure. In addition, parental consent is required.

North Dakota bans best practice medication and surgical care for transgender youth. The state ban makes it a felony to provide certain forms of best practice medical care for transgender youth.

STATE GRADES

Five states received an "A" in this year's report: California, New Mexico, Oregon, Vermont, and Washington. Twenty-five states received a failing grade: Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming.

THE NATIONAL GRADE

For the sixth year in a row, the U.S. as a whole received an "F." The fallout from the decision in

Dobbs v. Jackson Women's Health Organization and the ongoing assault on gender-affirming care were the major reasons for this grade.

Fallout from *Dobbs*

Abortion is completely banned or almost completely banned in 16 states. These restrictions force pregnant people to make hard choices: Do they travel out of state (if they are able to)? Do they expose themselves to legal risk by self-managing their abortion? Or do they carry an unwanted pregnancy to term, a decision that could have profound consequences? According to the [Turnaway Study](#), being denied a wanted abortion has many negative impacts including prolonged economic hardship and insecurity, increased likelihood of women* staying in contact with a violent partner, and more serious health problems than if they had the abortion.

*rePROs Fight Back (rePROs) intentionally uses the term "women" when describing data that did not include nonbinary people or transgender men in the research. Otherwise, rePROs is committed to using gender-inclusive language to represent all individuals who deserve full access to sexual and reproductive health services.

Gender-Affirming Care

Anti-rights advocates have turned their attention to banning best practice medication and surgical gendering-affirming care for transgender youth. As of the release of this report card, 24 states have banned both, though the ban is not in effect in two states due to court orders. Two additional states have banned best practice surgical care for transgender youth. Gender-affirming care is lifesaving health care; banning access to it can have major impacts on the health, including mental health, of transgender youth.

LOOKING AHEAD

In releasing this year's report card, Wetter warned that, "The threat posed by the new administration is a menacing storm looming on the horizon. We are already failing when it comes to meeting people's sexual and reproductive health needs by banning abortion, denying young people access to evidence-based sex education, blocking people from accessing affordable health care via Medicaid, putting gender-affirming care out of reach for many, and so much more. These impacts are never felt equally and disproportionately affect those who are already marginalized such as BIPOC, people with low-incomes, young people, those with disabilities, the LGBTQ+ community, and those at multiple intersections of these identities. With the threats posed to our right to bodily autonomy by potential federal actions from the new administration related to abortion access, transgender health care, health care costs, and more, people in every state are at risk. We must be ready for a long, hard fight to achieve a world with reproductive freedom for all."

BREAKDOWN OF SCORES | NORTH DAKOTA | 20 / 100

PREVENTION

Sex Education 0 / 20

North Dakota mandates sex education and HIV education in public schools but it sets no requirement to teach about condoms and contraception.

Access to Emergency Contraception 0 / 5

North Dakota has no laws affirming a sexual assault victim's right to emergency contraception in the emergency room.

Minors' Access to Contraception 0 / 5

North Dakota does not explicitly allow all minors to consent to contraceptive services.



AFFORDABILITY

Medicaid Expansion 15 / 15

North Dakota has expanded its Medicaid program, which includes maternal and reproductive health care, under the Affordable Care Act.

Medicaid Family Planning Expansions 0 / 10

North Dakota currently does not offer an expansion for family planning services to the Medicaid plan.

Medicaid Maternal Health Expansion 5 / 5

North Dakota has expanded its Medicaid postpartum coverage to 12 months.

Insurance Coverage of Abortion 0 / 5

North Dakota restricts abortion coverage in all private insurance plans by prohibiting insurance plans, including those sold on state Marketplaces, from covering abortion (with some exceptions).

ACCESS

Abortion Restrictions 0 / 15

North Dakota bans abortion after viability and has a mandatory waiting period of 24 hours between counseling and procedure. In addition, parental consent is required.

TRAP Laws 0 / 5

North Dakota has enacted a series of TRAP laws, which are targeted regulation of abortion providers beyond what is necessary to ensure patient safety.

Medication Abortion 0 / 5

North Dakota clinicians who perform medication abortion procedures are required to be licensed physicians and not other qualified health care providers. Medication abortion must be provided in the presence of the patient, which by extension bans telemedicine.

Gender-Affirming Care Restriction 0 / 10

North Dakota bans best practice medication and surgical care for transgender youth. The state ban makes it a felony to provide certain forms of best practice medical care for transgender youth.



For the complete report card and additional information, please visit: <https://reportcard.reprosfightback.com/>

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