

U.S. Supreme Court Overturns Roe v. Wade

By Katie Lannan

State House News Service

JUNE 24, 2022....The U.S. Supreme Court on Friday overturned Roe v. Wade, ruling that the constitution does not confer the right to an abortion and leaving decisions about regulating abortion up to the states.

The court's ruling had been expected since a draft opinion leaked in early May, and reaction from Massachusetts, where abortion remains legal under state law, was swift.

Gov. Charlie Baker, within moments of the decision in Dobbs v. Jackson, signed an executive order that bars Massachusetts from cooperating with extradition attempts from other states that may pursue criminal charges in connection with receiving or performing reproductive health services that are legal here.

Baker's order also protects Massachusetts reproductive health care providers from losing their licenses or receiving other professional discipline because of out-of-state charges, and prohibits agencies under the state's executive department from assisting another state's investigation into a person or entity for receiving or delivering reproductive health services in Massachusetts, the governor's office said.

"I am deeply disappointed in today's decision by the Supreme Court which will have major consequences for women across the country who live in states with limited access to reproductive health care services," Baker said in a statement. "The Commonwealth has long been a leader in protecting a woman's right to choose and access to reproductive health services, while other states have criminalized or otherwise restricted

access. This executive order will further preserve that right and protect reproductive health care providers who serve out of state residents.”

The roughly \$50 billion state budget that a six-person team of lawmakers is currently negotiating also features a suite of protections for providers of reproductive and gender-affirming health care and their patients, which the Senate added into its version of the spending plan after last month’s court leak. The budget bills also have funding aimed at “improving reproductive health care access, infrastructure and security,” including grants to three abortion funds.

Senate President Karen Spilka, who called the court’s action “a ‘nightmare scenario’ for women and those who can get pregnant across this nation,” said Baker’s order aligns closely with the Senate’s budget language.

“There is increased urgency to codify these provisions so that we can ensure the safety and continued protections of our residents,” she said in a statement.

The two-year legislative session is winding down, with July 31 as the last day of formal lawmaking business. Any further response from the Legislature would need to materialize quickly, and House Speaker Ron Mariano earlier this month raised the prospect that lawmakers could compile “one big package” once the court’s decision landed.

The Massachusetts Health and Hospital Association said it is not yet clear what the effect of Friday’s ruling will be on “care demand in states like Massachusetts, nor on the liability of local healthcare providers who perform abortions.”

“We echo the serious concerns of our colleagues across the country about what this will mean for the safety and wellbeing of patients in states that are stripping these fundamental rights away. This much we do know: no law can prevent someone

from terminating a pregnancy. It can only prevent them from doing so safely with the consult of experienced, compassionate clinicians,” the association said in a statement.

Attorney General Maura Healey, who is also a candidate for governor, said the decision marks the first time the high court “has taken away a constitutional right” and pledged that Massachusetts will “do everything we can to ensure patients from across the country can receive needed care and to support and protect our providers who are offering that care.”

Healey called on Congress to “keep abortion safe and legal” by codifying Roe, and Sen. Eric Lesser said Massachusetts should adopt an amendment “to enshrine reproductive freedom in our state constitution” as a safeguard against potential efforts to institute a federal abortion ban.

The Massachusetts Family institute, which opposes abortion, knocked lawmakers for “working to make Boston a hub for abortions.”

MFI president and general counsel Andrew Beckwith said the institute looks forward “to a reenergized fight to restore a culture of life to the Commonwealth.”

“A child conceived in Massachusetts should have the same right to be born as a child conceived in Mississippi,” Beckwith said in a statement. “Tragically, the whole apparatus of state government in Massachusetts is aligned against the unborn and aligned with Planned Parenthood and the abortion industry.”

The Beyond Roe Coalition, which includes Reproductive Equity Now, the ACLU of Massachusetts, and Planned Parenthood Advocacy Fund of Massachusetts, plans to hold a 1:30 p.m. press conference outside the State House “to discuss the decision, what it means for Massachusetts, and necessary next steps to defend abortion access in a post-Roe world.”