

AG Fitch on SCOTUS Decision to Reinstate National On-Demand Abortion By Mail Policy



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Lynn Fitch

(Jackson, Mississippi) Attorney General Lynn Fitch released the following statement as the Supreme Court granted a stay, permitting a federal regulation that removed the longstanding in-person dispensing requirement for the chemical abortion drug mifepristone, without any safeguards to protect the health and life of the woman, to continue.

“The FDA's rule effectively achieves a national abortion-on-demand regime that could never be passed through Congress. Our victory in the Mississippi *Dobbs* case reaffirmed the right of states to pass laws that protect unborn life, women's health, and the integrity of the medical profession. The current FDA protocol works against all those legitimate state interests,” **said Attorney General Lynn Fitch.**

Last week, Attorney General Fitch joined a coalition of 23 attorneys general in asking the Supreme Court to leave in place the Fifth Circuit stay of the 2023 rule by the [Biden-era FDA](#), which has the practical effect of allowing non-Mississippi doctors to prescribe mifepristone to patients and ship that drug across state lines to women in Mississippi, in direct contravention of Mississippi law.

The AGs' brief was filed in support of Louisiana, which is suing the federal Food and Drug Administration, arguing that the rule removing the in-person dispensing requirement was not based on sound science and thus procedurally flawed. The FDA has admitted the 2023 rule was procedurally flawed and is currently conducting a review. You can read the brief [HERE](#).

In 2024, Attorney General Fitch led an [amicus brief](#) supporting pro-life physicians in a challenge to this same rule. As she and 21 other Attorneys General said then, “This case challenges the U.S. Food and Drug Administration’s actions adopting an elective abortion policy that Congress could never pass, that States have rejected, and in which the American people had no say.”

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