

HOUSE RESOLUTION NO. 72

Rep. Price offered the following resolution:

1 A resolution to condemn the April 7, 2023, order in the case
2 *Alliance for Hippocratic Medicine v. FDA* and to denounce any and
3 all efforts to limit access to abortion in Michigan and throughout
4 the country.

5 Whereas, Mifepristone is one of two medications commonly used
6 together in a regimen for medication abortion or miscarriage care.
7 It was first approved by the United States Food and Drug
8 Administration (FDA) in September 2000. As of June 2022,
9 mifepristone had been used by an estimated 5.6 million people in
10 the United States to safely end their pregnancies or manage their
11 miscarriages. Mifepristone provides an alternative to procedural
12 abortion and affords patients privacy during the process. Decades
13 of research have shown that severe complications from medication

1 abortion, defined as hospitalization or transfusion, occur less
2 than 0.4 percent of the time. The risk of death when taking
3 mifepristone is lower than that when taking some other common
4 medications, such as Viagra. Overdoses on acetaminophen are far
5 more common, accounting for over 600 deaths each year; and

6 Whereas, On April 7, 2023, in the case *Alliance for*
7 *Hippocratic Medicine v. FDA*, the United States District Court for
8 the Northern District of Texas, Amarillo Division, ordered a stay
9 on the FDA's approval of mifepristone. In effect, this order would
10 vacate the FDA's approval of the drug, which has stood for over
11 twenty-two years. The United States Department of Justice has
12 already announced its intent to appeal the decision, to defend the
13 FDA's expert judgment that mifepristone is safe and effective and
14 to protect Americans' access to legal reproductive care; and

15 Whereas, The *Alliance for Hippocratic Medicine* lawsuit and the
16 April 7 order are clearly politically motivated. The plaintiffs
17 engaged in forum shopping, and their chosen judge overstepped the
18 judicial role. This case is yet another attack on the ability of
19 people to make their own choices regarding their reproductive
20 futures, as part of a concerted and decades-long effort to limit
21 access to abortion. Furthermore, the reasoning employed in this
22 case could open the door to challenges to other FDA drug approvals,
23 threatening the balance between agency experts and judges and
24 creating uncertainty about consistent access to medication; and

25 Whereas, In 2022, the state of Michigan enshrined the right to
26 reproductive freedom in its state constitution. The April 7 order
27 in *Alliance for Hippocratic Medicine* undermines that right by
28 limiting Michiganders' access to safe abortion and miscarriage
29 treatment. This court-imposed restriction would eliminate a widely-

1 used option for abortion, which could have a particularly harsh
2 impact on systemically and historically marginalized individuals,
3 such as black and brown communities and those with low incomes;
4 now, therefore, be it

5 Resolved by the House of Representatives, That we condemn the
6 April 7, 2023, order by the United States District Court for the
7 Northern District of Texas, Amarillo Division, in the case *Alliance*
8 *for Hippocratic Medicine v. FDA*; and be it further

9 Resolved, That we denounce in the strongest possible terms any
10 and all efforts to limit access to abortion in Michigan and
11 throughout the country.