

NWLC Files Sex Discrimination Complaints Against Hospitals that Refused Emergency Abortion Care

WASHINGTON, Jan. 30, 2023 /PRNewswire/ -- On Monday, January 30, the National Women's Law Center (NWLC) filed a complaint with the Department of Health and Human Services Office for Civil Rights on behalf of Mylissa Farmer, a Missouri resident who was denied emergency abortion care by multiple hospitals in Kansas, Missouri, and Illinois after her water broke at 18 weeks of pregnancy. The complaint explains that these hospitals discriminated against her on the basis of sex in violation of Section 1557 of the Affordable Care Act, the first federal law to broadly prohibit sex discrimination in health care, by denying her the care necessary to preserve her life and health.

"These discriminatory denials of emergency abortion care leave pregnant people without the medical treatment they need." This type of sex discrimination has only increased after the *Dobbs v. Jackson Women's Health Org.* decision, with the impact disproportionately burdening people with limited resources, people of color, people in rural areas, and others who already face barriers to health care. These discriminatory denials of emergency abortion care leave pregnant people without the medical treatment they need, which can lead to severe infections, hemorrhaging, and other serious medical conditions, and which may result in the loss of their reproductive capacity or death. Beyond these severe physical harms, pregnant people may be required to travel hundreds of miles and incur exorbitant costs to access the care they need. Experiencing discrimination in health care by being denied an abortion can also have other wide-ranging, long-lasting harms, including lasting distrust of medical institutions and providers.

The following is a quote from Michelle Banker, Ms. Farmer's attorney and Director of Reproductive Rights and Health Litigation at NWLC:

"Abortion is time sensitive and sometimes life-saving health care. When a hospital offers emergency care to everyone but refuses to provide emergency care that only pregnant people need, that is sex discrimination, pure and simple. Section 1557 of the Affordable Care Act required the hospitals from which Ms. Farmer sought care to treat her, just as they do everyone else. Their discriminatory refusal to do so not only violated the law—it put her life at risk. We call on OCR to take swift action to make clear to hospitals nationwide that these dangerous refusals of care violate federal law and will not be tolerated."

NWLC also recently filed similar legal complaints with the Missouri Commission on Human Rights and the Kansas Human Rights Commission against hospitals in Missouri and Kansas for discriminating against Ms. Farmer on the basis of sex in violation of state law. An [EMTALA](#) complaint was also filed with the Centers for Medicare & Medicaid Services on behalf of Ms. Farmer in November 2022.

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