



Facts About Louisiana's Pro-Life Laws Protecting Babies From Elective Abortion

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The [Louisiana 2022 Reaffirmation of Human Life Protection Act](#) (Act 545 / LA R.S. 14.87.7) is currently in effect and protecting unborn babies from elective abortion. As of August 22, 2022, it is estimated that 892 babies have been protected from abortion in Louisiana since Roe v. Wade was overturned.

There has been plenty of misinformation circulating surrounding Louisiana's pro-life laws in the past few weeks. We hope this factsheet will help clear up any confusion and provide clarity of what Louisiana's laws does and does not allow.

Louisiana's law on abortion are very clear.

- Other than cases of "medical futility" as will be explained below, elective abortions are illegal in Louisiana. The state's three abortion facilities are currently closed and there are reports they are looking to move to other states.

The legal definition of abortion includes language that there must be an intent to perform the illegal abortion. The law defines these abortions as the *"performance of any act with the **intent to terminate** a clinically diagnosable pregnancy with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child."*

- Louisiana law does not allow abortions in cases of rape and incest. We believe every life matters. Pro-life people should understand that we expect aggressive efforts from legislators in the future to legalize abortion in these circumstances. It is important for pro-life people to talk to their State Senators and Representatives about this issue.
- Illegal elective abortions are not to be confused with appropriate pregnancy care for the mother and the unborn child that occurs in hospitals and doctor's offices.
 - Louisiana's pro-life law allows a doctor to provide miscarriage management.
 - Louisiana's pro-life law allows a doctor to treat a woman facing an ectopic pregnancy.
 - Louisiana's pro-life law allows a doctor to intervene in a pregnancy to treat an unborn child or a mother whose health is endangered.
 - Louisiana's pro-life law permits the use of medications when they used for purposes other than elective abortion.

- Louisiana's pro-life law allows a doctor to save the life of a mother in a medical emergency. If a pregnancy needs to end because of a condition that is endangering the mother, or even endangering her unborn child, Louisiana law allows room for physicians to proceed with actions they deem necessary to save lives. These actions should be done under medical necessity and in the hopes of saving both the life of the mother and the baby.
- While Louisiana's pro-life law does not change the practice of in-vitro fertilization itself, it does prohibit "selective abortions" that previously could have been performed to tragically "reduce" the number of babies in the womb.
- Louisiana's pro-life law does not prohibit contraception and emergency contraception such as the "Morning After Pill" or "Plan B." To be clear, the Catholic Church opposes both contraception and emergency contraception unless the emergency contraception is used in extremely rare circumstances after rape and incest when there is medical verification that ovulation has not occurred and therefore the emergency contraception is only acting as self-defense against the rapist's sperm. However, the RU-486 abortion pill is illegal.
- Unfortunately, Louisiana's law allows "the removal of an unborn child who is deemed to be medically futile" when the diagnosis is "certified by two qualified." The term medically futile is defined as when "the unborn child has a profound and irremediable congenital or chromosomal anomaly that is incompatible with sustaining life after birth." The Department of Health has published a list of conditions that meet this definition, but the list also includes a provision that allows for any condition that meets the definition of medical futility as certified by two physicians.

To be clear, Louisiana Right to Life nor the Catholic Bishops did not support the inclusion of the "medical futility" provision during the legislative session, and we hope to remove that provision in future legislative sessions. We recognize the deep suffering families experience after receiving grave diagnoses. With this being said, all persons, including those with disabilities, have the right to life. Our society should never take the life of those with disabilities, regardless if they are born or waiting to be born. We believe the best way forward that supports the mother and respects the life of the living baby is to provide support for families and perinatal palliative care from the moment of the diagnosis through the duration of the child's natural life. Our position is backed up by the many families who have chosen this option. Louisiana Right to Life is available to connect families to other families who have experienced similar situation.

Finally, Louisiana currently provides an abundance of private and public support to mothers and families both before and after birth. Visit www.FindHelpLA.org to search for local support by zip code, or contact your local pregnancy resource center or other public or private agency.