

As SCOTUS Prepares to Hear Arguments for Restricting Abortion Medication, A New Report Card on Sexual and Reproductive Health and Rights Finds Growing Gaps in Care Are Creating a Human Rights Crisis

Widespread Failing Grades Show Loss of Freedom, Inequity, and Threats to Health on the Rise in Post-Roe America

March 21, 2024, Washington, D.C.



Today, rePROs Fight Back, an initiative of the nonprofit [Population Institute](#), released its [50 State Report Card on Sexual and Reproductive Health and Rights](#) covering 2023. For 12 years, annual report card has tracked multiple indicators of sexual and reproductive health and rights in each state, including access to family planning, sex education, abortion services, contraception, gender-affirming care, and Medicaid coverage for reproductive services, documenting the changes over time.

The results of the latest report card are in many ways the worst yet. Twenty-five states failed outright, 30 received a “D” or lower, only five states got an “A.” The country as a whole also failed. The report card’s color-coded map of the 50 states shows islands of care access in a sea of exclusion.

2023 was the first full year since the U.S. Supreme Court overturned *Roe v. Wade*, in the wake of which statehouses continued to ban or severely restrict access to abortion care. Currently 16 states have enacted complete or near-complete bans on abortion, and more such measures are pending. As a result, [one in five abortion patients travel out of state to get care](#), according to the Guttmacher Institute.

Next week, on March 26, the Supreme Court will return to the abortion issue [to hear oral arguments](#) in a case seeking to restrict the abortion medication mifepristone, which would effectively block one of the few remaining ways millions of women of reproductive age still have to access abortion care.

Rollbacks in sexual and reproductive health and rights aren’t limited to abortion care, the report card shows. Attacks on comprehensive sex education and gender-affirming care also continued to escalate during 2023. To date 21 states have banned best-practice medication and surgical gender-affirming care for transgender youth (though in five of those bans were blocked by court orders). Two additional states have banned best-practice surgical care for transgender youth. [Research shows](#) preventing transgender youth from accessing gender-affirming care can negatively impact their physical and mental health.

“When you add it all up, it amounts to a growing human rights crisis here in the United States, threatening Americans’ basic freedoms, health, and lives,” said **Jennie Wetter**, Director of rePROs Fight Back. “In the 16 states where abortion care is unavailable, people face untenable choices. If they need an abortion, do they travel to the remaining states where they can still get one? What if they can’t afford the cost or

the time off from work or caregiving? Do they take the legal risk of self-managing their abortion? Or do they carry an unwanted pregnancy to term? The US has high maternal mortality rate, especially for Black women, so that choice comes with its own risks.”

“People shouldn’t be forced into such positions anywhere in the U.S., but these problems are compounded by severe inequities, where some groups suffer much more than others,” Wetter said.

“Marginalized communities, BIPOC, people with low-incomes, young people, those with disabilities, the LGBTQ+ community, and those at multiple intersections of these are disproportionately impacted by the loss of reproductive rights and access to care. This situation undercuts fundamental principles of individual agency, bodily autonomy, and equity. It’s a gross violation of human rights.”

“As bad as things were in 2022, they stand to get worse this year,” Wetter said. “In 2024 the Supreme Court will hear two cases could further restrict access to abortion care, and abortion also under continuing assault at the state level, even as fallout from the *Dobbs* decision prevents millions from accessing care where they live. But the failures are broader than just abortion care; they’re systemic. Many states are also failing on sex education, birth control access, gender-affirming care, and more. Until these missing pieces are in place, we will never achieve a world with sexual and reproductive freedom. To get there, we must fight at every level to stop this human rights crisis in its tracks.”