

# origins

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## Louisiana Abortion Law Struck Down

### U.S. Supreme Court

In a 5-4 decision June 29, the Supreme Court ruled that a Louisiana law requiring that doctors who perform abortions have admitting privileges at nearby hospitals could not stand. The opinion in *June Medical Services v. Russo*, written by Justice Stephen Breyer, said the case was “similar to, nearly identical with” a law in Texas that the court four years ago found to be a burden to women seeking abortion. Breyer was joined in the majority by Chief Justice John Roberts and Justices Ruth Bader Ginsburg, Sonia Sotomayor and Elena Kagan. Breyer said the Louisiana law was unconstitutional because it posed a “substantial obstacle” for women seeking abortions while providing “no significant health-related benefits.” The Texas case, *Whole Woman’s*

*“The [lower] court’s related factual and legal determinations and its ultimate conclusion that Act 620 is unconstitutional are proper.”*

*Health v. Hellerstedt*, struck down the law with a different bench without Justices Neil Gorsuch and Brett Kavanaugh. The court said the requirements imposed on abortion providers — to have hospital admitting privileges — put “a substantial burden” on women who were seeking abortions and the law wasn’t necessary to protect women’s health. “The court’s failure to recognize the legitimacy of laws prioritizing women’s health and safety over abortion business interests continues a cruel precedent,” said Archbishop Joseph F. Naumann of Kansas City, Kansas, chairman of the U.S. Conference of Catholic Bishops’ Committee for Pro-Life Activities. “Even as we seek to end the brutality of legalized abortion, we still believe that the women who seek it should not be further harmed and abused by a callous, profit-driven industry,” he added. The syllabus, or summary, of the court’s decision follows.

Louisiana’s Act 620, which is almost word-for-word identical to the Texas “admitting privileges” law at issue in *Whole Woman’s Health v. Hellerstedt*, 579 U. S. \_\_\_, requires any doctor who performs abortions to hold “active admitting privileges at a hospital ... located not further than 30 miles from the location at which the abortion is performed or induced” and defines *active admitting privileges* as being “a member in good standing” of the hospital’s “medical staff ... with the ability to admit a patient and to provide diagnostic and surgical services to such patient.”

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