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LDF Reflects on Supreme Court Decision Sending Case Regarding Federal Requirement for Hospitals to Provide Emergency Care to Pregnant People Back to Lower Courts

Today, the Supreme Court has ruled that it prematurely granted review of *Moyle v. United States* and *United States v. Idaho*, a case involving whether an Idaho law trumps the Emergency Medical Treatment and Labor Act's (EMTALA) long-standing requirements to provide critical abortion care to patients suffering emergency pregnancy complications. The Court's opinion did not address the merits.

By sending the case back to lower courts and reinstating an injunction that the Court lifted, pregnant people needing emergency abortion care in Idaho will experience temporary relief. Unfortunately, this same respite does not apply in other states. For example, pregnant people in Texas remain without the protections of EMTALA because another court has blocked the enforcement of that statute for pregnant people needing emergency care.

Following the Supreme Court's opinion in *Dobbs*, Idaho enacted one of the most restrictive abortion bans in the country. The United States Department of Justice filed a lawsuit on August 2, 2022, challenging the Idaho abortion ban, arguing it conflicts with EMTALA—a federal law that has required Medicare-funded hospitals to provide life-stabilizing care in emergency situations, including emergency abortion care, nationwide, for decades.

The district court blocked Idaho's abortion ban from being enforced in cases of medical emergency. Idaho appealed and the Ninth Circuit Court of Appeals reversed the district court and allowed Idaho to enforce the abortion ban in these instances. The Department of Justice asked the Ninth Circuit to reconsider, and the Ninth Circuit temporarily blocked Idaho from enforcing the ban for pregnant people experiencing medical emergencies and agreed to hear the case. Idaho then filed an emergency application with the Supreme Court which allowed Idaho to enforce the law while the case was pending and decided to review the case on the merits.

“The Supreme Court had the opportunity affirm that EMTALA includes emergency abortion care for pregnant people, and which would have ensured that people could access the critical care they need everywhere. Instead, the Court punted this decision for another day and harmed pregnant patients in Idaho for months in the process leading up to this decision. The case demonstrates the irreparable harm caused by the *Dobbs* decision just two years ago,”
said Alexandra Thompson, Senior Counsel at LDF.

The results of the Court's staying the injunction while it considered the case has been devastating to women and pregnant people across Idaho, and has resulted in the denial of emergency abortion care for pregnant people in critical condition. More broadly, bans like

Idaho's have led to obstetricians and gynecologists leaving their home state, forcing the closure of labor and delivery wards and limiting access to maternal health care services. These barriers to health care significantly impact Black women and pregnant people, and those living on low incomes.

The ban in Idaho and many other states are the direct result of *Dobbs*, in which five Justices of the Supreme Court overturned its seminal decisions in *Roe v. Wade* and *Planned Parenthood v. Casey*, and ruled that pregnant people lack a fundamental right to autonomy over their own bodies.

In March 2024, LDF joined the National Women's Law Center's [amicus brief](#), addressing the merits, and explaining that EMTALA protects access to all emergency medical treatment, including emergency abortion care.

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