

State Funding of Abortion Under Medicaid

BACKGROUND: First implemented in 1977, the Hyde Amendment, which currently forbids the use of federal funds for abortions except in cases of life endangerment, rape or incest, has guided public funding for abortions under the joint federal-state Medicaid programs for low-income women. At a minimum, states must cover those abortions that meet the federal exceptions. Although most states meet the requirements, one state is in violation of federal Medicaid law, because it pays for abortions only in cases of life endangerment. Some states use their own funds to pay for all or most medically necessary abortions, although most do so as a result of a specific court order.

HIGHLIGHTS:

- 32 states follow the federal standard and provide abortions in cases of life endangerment, rape and incest.
 - 3 of these states also provide state funds for abortions in cases of fetal abnormality.
 - 4 of these states also provide state funds for abortions that are necessary to prevent grave, long-lasting damage to the woman's physical health.
- 1 state provides abortions only in cases of life endangerment, in apparent violation of the federal standard.
- 17 states and the District of Columbia use state funds to provide all or most medically necessary abortions.
 - 4 of these states and the District of Columbia provide such funds voluntarily.
 - 13 of these states do so pursuant to a court order.



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STATE FUNDING OF ABORTION UNDER MEDICAID

STATE	GENERALLY FOLLOWS THE FEDERAL STANDARD, FUNDS IN CASES OF:		FUNDS ALL OR MOST MEDICALLY NECESSARY ABORTIONS
	Life Endangerment, Rape and Incest	Other Exceptions	
Alabama	X		
Alaska			Court order
Arizona			Court order
Arkansas	X		
California			Court order
Colorado	X		
Connecticut			Court order
Delaware	X		
Dist. of Columbia			Voluntarily
Florida	X		
Georgia	X		
Hawaii			Voluntarily
Idaho	X		
Illinois			Court order
Indiana	X	Physical health	
Iowa	X	Fetal abnormality	
Kansas	X		
Kentucky	X		
Louisiana	X		
Maine	X		
Maryland			Voluntarily
Massachusetts			Court order
Michigan	X		
Minnesota			Court order
Mississippi	X	Fetal abnormality	
Missouri	X		
Montana			Court order
Nebraska	X		
Nevada	X		
New Hampshire	X		
New Jersey			Court order
New Mexico			Court order
New York			Voluntarily
North Carolina	X		
North Dakota	X		
Ohio	X		
Oklahoma	X		
Oregon			Court order
Pennsylvania	X		
Rhode Island	X		
South Carolina	X	Physical health	
South Dakota	*		
Tennessee	X		
Texas	X		
Utah	X	Physical health	
Vermont			Court order
Virginia	X	Fetal abnormality	
Washington			Voluntarily
West Virginia			Court order
Wisconsin	X	Physical health	
Wyoming	X		
TOTAL	32		17+DC

* State only pays for abortions when necessary to protect the woman's life.

FOR MORE INFORMATION:

For information on state legislative and policy activity click on Guttmacher's [Monthly State Update](#) and for state level information and data on reproductive health issues, click on Guttmacher's [State Center](#). To see state specific abortion information click on [State Facts About Abortion](#).

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