WHY ARE WE HERE?

Understanding the Role of Vigils at Pharmacies and Abortion Facilities that Provide Chemical Abortion Drugs

Background

The landscape of abortion services has evolved significantly, as the majority of U.S. abortions are now non-surgical but are chemical (committed through the use of abortion drugs).

Many abortion facilities provide both surgical and chemical abortions. Some retail pharmacies—including chains like Walgreens and CVS—now also sell chemical abortion drugs. 40 Days for Life participants stand vigil in front of these abortion-dispensing pharmacies as part of our Mission to pray and fast for an end to abortion.

This new abortion landscape has prompted many questions about what chemical abortions are, where they are committed, what legal regulations govern their use, and why 40 Days for Life vigils take place in front of the providers that dispense them.

What is chemical abortion?

Chemical abortion terminates a pregnancy by using abortifacient drugs to kill an unborn child. These abortions typically involve a regimen of two different drugs:

- **Mifepristone** kills the unborn child by blocking progesterone, a hormone that occurs naturally in women and that is needed to support pregnancy.
- **Misoprostol** causes cramping and bleeding to expel the dead child and empty the uterus.

The FDA currently approves use of the mifepristone/misoprostol chemical abortion regimen through 10 weeks' gestation and is trying to expand that time later and later into the life of the unborn child.[i] Some abortion providers already dispense abortion drugs even later into pregnancy.[ii]

Chemical abortions are also known as "medication abortions," "the abortion pill," and "RU-486."

40 Days for Life has published an overview of chemical abortion: 40daysforlife.com/chemicalabortion

40 Days for Life has also published a trifold brochure that explains the dangers of chemical abortions as well as the benefits of Abortion Pill Reversal, which can be used to reverse the effects of mifepristone: https://40daysforlifegear.com/collections/promotional-1/products/medication-abortion-brochure?variant=40186361741398

What is the difference between chemical abortion and surgical abortion?

Both chemical and surgical abortions kill an unborn child. The only difference is the method.

Chemical abortions use drugs to kill an unborn child.

Surgical abortions kill an unborn child using various methods such as dilation and curettage (D&C) and suction aspiration. The specific procedure is often determined by the gestational age of the unborn baby.

What is the difference between chemical abortion and the "morning-after pill"?

Chemical abortions are not designed to prevent pregnancy, but to kill an unborn child AFTER the child has implanted in the mother's uterus (womb).

The "morning-after pill" refers to a number of contraceptive drugs taken to prevent pregnancy after intercourse. These drugs are also known as "emergency contraception." There are two primary types of morning-after pills:

- **Ulipristal (brand name Ella)** is a drug that contains ulipristal acetate, delays ovulation, prevents implantation, and can be taken up to 120 hours (5 days) after fertilization.

- Over-the-counter drugs with brand names such as **Plan B One Step, Take Action, and My Way** (among others) contain levonorgestrel. These pills are most effective when taken within 72 hours (3 days) of intercourse but can be used up to 5 days after.

The primary mechanism of action for both types of "morning-after pill" is to *prevent* pregnancy by delaying ovulation to prevent fertilization. However, many medical professionals agree that these powerful drugs can also act as abortifacients, killing newly conceived lives by preventing them from implanting in the mother's uterus (womb).

How are chemical abortions obtained?

Is a prescription required to obtain a chemical abortion?

Both mifepristone and misoprostol require a prescription.[iii]

Is a doctor's appointment necessary to obtain a chemical abortion?

It depends on the state.

In some states,[1] a doctor's appointment is required to obtain mifepristone. In other states,[2] a visit with another practice clinician (like a physician assistant, nurse practitioner, or nurse-midwife) will suffice.[iv]

Are abortion pills available through telehealth?

Telehealth abortion appointments allow a woman to obtain chemical abortion pills through only a virtual "appointment" with a clinician. After this virtual appointment, often the woman receives chemical abortion pills by mail.

Telehealth abortions are also known as telemedicine ("tele-med") abortions, webcam abortions, or mail-order abortions.

- 26 states[3] and Washington, D.C., allow telehealth abortions without restriction.[v]
- 3 states[4] allow some form of telehealth abortions, but with restrictions.[vi]
- 8 states[5] prohibit telehealth abortions.[vii]
- 13 states prohibit abortion altogether.[6]

Who is allowed to pick up chemical abortion drugs from the pharmacy?

Family members, friends, and others can pick up mifepristone on behalf of the woman for whom it was prescribed.[viii]

Where are abortion pills obtained?

Chemical abortions can be obtained lawfully in the 37 states[7] and Washington, D.C., in which abortion is legal.[ix]

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[1] Arizona, Florida, Georgia, Iowa, Kansas, Michigan, Nebraska, Nevada, North Carolina, Ohio, Pennsylvania, South Carolina, Utah, Wisconsin, Wyoming

[2] Alaska, California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, Montana, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, Washington

[3] California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, Wyoming

[4] Georgia, Iowa, Utah

[5] Alaska, Arizona, Florida, Nebraska, North Carolina, North Dakota, South Carolina, Wisconsin

[6] Alabama, Arkansas, Idaho, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, South Dakota, Tennessee, Texas, West Virginia

[7] Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, Wisconsin, Wyoming

Chemical abortions are prohibited in the 13 states[8] where abortion is illegal.[x] However, residents of those states might still be able to obtain chemical abortions by:

- Traveling to a state where abortion is legal.
- Ordering chemical abortion pills from a telehealth abortion provider by mail. The Department of Justice has issued a legal opinion stating that federal law allows the U.S. Postal Service to deliver mifepristone even to states where abortion is illegal.[xi] Furthermore, eight states have enacted legislation shielding abortion providers from investigation if they mail abortion pills to states where abortion is prohibited by law.[xii]
- Purchasing abortion pills manufactured outside the United States. These abortion pills are imported from countries like India, China, Vietnam, and Russia and illegally distributed without a prescription to customers in the U.S.[xiii]

Who sells chemical abortions?

Clinics, medical offices, and hospitals

In states where abortion is legal, mifepristone can be dispensed by prescription in clinics, medical offices, and hospitals.[xiv] These clinics and medical offices include many abortion facilities such as Planned Parenthood.

Retail pharmacies

In 2023, the Food and Drug Administration ruled that retail pharmacies can become certified to prescribe mifepristone. As a result, some retail pharmacies—including chains like Walgreens and CVS—now dispense chemical abortion pills.

Online retailers

Dozens of U.S. and foreign websites sell chemical abortions directly to customers. These online retailers might sell abortion pills illegally and/or without a prescription or access to a clinician.[xv]

Why is 40 Days for Life holding vigils in front of pharmacies and other facilities that dispense chemical abortions?

Our prayer and fasting in front of pharmacies and abortion facilities that dispense abortion drugs serve several purposes:

1. We implore God's grace and mercy to bring about an end to abortion wherever and however abortions are committed.

[8] Alabama, Arkansas, Idaho, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, South Dakota, Tennessee, Texas, West Virginia

2. Our public witness aims to influence the hearts and minds of individuals considering the use of abortifacients so that they understand what these drugs do and choose life instead.

3. Our presence serves as a form of community outreach, reminding the public of the harms and dangers of chemical abortions. By maintaining a visible presence, we hope to foster a dialogue that encourages consideration of life-affirming choices.

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[i] https://www.fda.gov/drugs/postmarket-drug-safety-information-patients-and-providers/information-about-mifepristone-medical-termination-pregnancy-through-ten-weeks-gestation
[ii] https://www.vox.com/23755658/abortion-pill-second-trimester-mifepristone-misoprostol
[iii] https://www.acog.org/womens-health/experts-and-stories/ask-acog/can-i-get-abortion-pills-from-a-pharmacy
[iv] https://www.kff.org/womens-health-policy/state-indicator/state-requirements-for-the-provision-of-medication-abortion/
[v] https://www.kff.org/womens-health-policy/fact-sheet/the-availability-and-use-of-medication-abortion/
[vi] https://www.kff.org/womens-health-policy/fact-sheet/the-availability-and-use-of-medication-abortion/
[vii] https://www.kff.org/womens-health-policy/fact-sheet/the-availability-and-use-of-medication-abortion/
[viii] https://www.hhs.gov/hipaa/for-individuals/faq/527/can-i-have-another-person-pick-up-my-prescription-drugs/index.html
[ix] https://www.propublica.org/article/abortion-pills-safety-questions-answered
[x] https://www.kff.org/womens-health-policy/fact-sheet/the-availability-and-use-of-medication-abortion/
[xi] https://www.washingtonpost.com/national-security/2023/01/04/abortion-pills-mailed-legal/
[xii] https://www.npr.org/2024/08/06/nx-s1-5037750/abortion-pills-bans-telehealth-mail-mifepristone-misoprostol
[xiii] https://www.nytimes.com/interactive/2023/04/13/us/abortion-pill-order-online-mifepristone.html
[xiv] https://www.acog.org/clinical/clinical-guidance/practice-advisory/articles/2023/01/updated-mifepristone-rems-requirements
[xv] https://www.washingtonpost.com/nation/interactive/2024/abortion-pills-legal-states/