

Medication Abortion Remains Legal in Michigan Amidst Federal Debate

The legality of mifepristone—one of two medications used to induce abortion—hangs in the balance as differing judicial opinions were recently handed down.

On April 7, a federal judge in Texas ordered the Food and Drug Administration to, effective April 14, suspend its approval of mifepristone for use in medication abortion. Shortly after, a federal judge in Washington ruled to order the FDA to allow continued use of the drug. The U.S. Department of Justice then stepped in, to keep mifepristone on the market as litigation plays out. It is expected the U.S. Supreme Court will ultimately rule on the case.

Safety is at the Center of the Debate

Mifepristone was first approved by the FDA in 2000. Today it is used in over half of all abortions.

At the center of the debate is the safety of the drug. Opponents of mifepristone point to 28 deaths associated with its use by 5.6 million women over the past 23 years. Proponents say decades of clinical research and studies confirm the drug's safety, and they highlight its critical role in reproductive healthcare, especially in low-income, underserved, and rural communities.

What This Means in Michigan

"Despite this ruling, I want to be clear: abortion, including medication abortion, remains safe and legal in the state of Michigan," Gov. Gretchen Whitmer said in a written statement.

This was echoed in a [Michigan Department of Health and Human Services](#) new release: "Michigan families still have access to abortion care, and we urge them to talk with their healthcare provider about medication abortion and in-clinic procedures that are available."

Earlier this month, Gov. Whitmer signed [bipartisan legislation](#) repealing Michigan's 1931 law banning abortion without exceptions for rape or incest and criminalizing healthcare

professionals for doing their jobs. The bill package codifies Proposal 3, passed by Michigan voters in the November 2023 election.

Your Academy Weighs In

American Academy of Family Physicians issued a statement in response to the court battle, highlighting how the decision to suspend mifepristone's use infringes on the patient-physician relationship, which is so important for maintaining trust and continuity of care.

“Patients must be able to [depend on their physicians](#) to help them make critical decisions about their personal health. Physicians must be able to practice medicine that is informed by their years of medical education, training, experience and the available evidence. The healthcare community relies on agencies like the FDA to ensure the safety and efficacy of treatments available to patients. This decision sets a dangerous precedent of allowing the rigorous drug evaluation process to be circumvented, affecting the entire country’s access to a medication or regimen.”

In 2019, a member-introduced resolution regarding mifepristone was put forth to the Michigan Academy of Family Physicians membership at the Annual Meeting. It called for MAFP to support the right of family physicians to provide medical abortions with mifepristone in their general family practices. The resolution was adopted by the membership and added to [MAFP's policy compendium](#) (member username and password required).