

HOUSE RESOLUTION NO. 72

Reps. Price, Andrews, Arbit, Brabec, Breen, Brixie, Byrnes, Brenda Carter, Churches, Coffia, Conlin, Edwards, Fitzgerald, Glanville, Grant, Haadsma, Hill, Hope, Hoskins, Koleszar, Liberati, MacDonell, Martus, McFall, McKinney, Mentzer, Miller, Morgan, Morse, Paiz, Pohutsky, Puri, Rheingans, Rogers, Scott, Shannon, Skaggs, Snyder, Steckloff, Stone, Tsernoglou, Wegela, Weiss and Wilson offered the following resolution:

1 A resolution to condemn the April 7, 2023, order in the case
2 *Alliance for Hippocratic Medicine v. FDA* and to denounce any and
3 all efforts to limit access to abortion in Michigan and throughout
4 the country.

5 Whereas, Mifepristone is one of two medications commonly used
6 together in a regimen for medication abortion or miscarriage care.
7 It was first approved by the United States Food and Drug

1 Administration (FDA) in September 2000. As of June 2022,
2 mifepristone had been used by an estimated 5.6 million people in
3 the United States to safely end their pregnancies or manage their
4 miscarriages. Mifepristone provides an alternative to procedural
5 abortion and affords patients privacy during the process. Decades
6 of research have shown that severe complications from medication
7 abortion, defined as hospitalization or transfusion, occur less
8 than 0.4 percent of the time. The risk of death when taking
9 mifepristone is lower than that when taking some other common
10 medications, such as Viagra. Overdoses on acetaminophen are far
11 more common, accounting for over 600 deaths each year; and

12 Whereas, On April 7, 2023, in the case *Alliance for*
13 *Hippocratic Medicine v. FDA*, the United States District Court for
14 the Northern District of Texas, Amarillo Division, ordered a stay
15 on the FDA's approval of mifepristone. In effect, this order would
16 vacate the FDA's approval of the drug, which has stood for over
17 twenty-two years. The United States Department of Justice has
18 already announced its intent to appeal the decision, to defend the
19 FDA's expert judgment that mifepristone is safe and effective and
20 to protect Americans' access to legal reproductive care; and

21 Whereas, The *Alliance for Hippocratic Medicine* lawsuit and the
22 April 7 order are clearly politically motivated. The plaintiffs
23 engaged in forum shopping, and their chosen judge overstepped the
24 judicial role. This case is yet another attack on the ability of
25 people to make their own choices regarding their reproductive
26 futures, as part of a concerted and decades-long effort to limit
27 access to abortion. Furthermore, the reasoning employed in this
28 case could open the door to challenges to other FDA drug approvals,
29 threatening the balance between agency experts and judges and

1 creating uncertainty about consistent access to medication; and

2 Whereas, In 2022, the state of Michigan enshrined the right to
3 reproductive freedom in its state constitution. The April 7 order
4 in *Alliance for Hippocratic Medicine* undermines that right by
5 limiting Michiganders' access to safe abortion and miscarriage
6 treatment. This court-imposed restriction would eliminate a widely-
7 used option for abortion, which could have a particularly harsh
8 impact on systemically and historically marginalized individuals,
9 such as black and brown communities and those with low incomes;
10 now, therefore, be it

11 Resolved by the House of Representatives, That we condemn the
12 April 7, 2023, order by the United States District Court for the
13 Northern District of Texas, Amarillo Division, in the case *Alliance*
14 *for Hippocratic Medicine v. FDA*; and be it further

15 Resolved, That we denounce in the strongest possible terms any
16 and all efforts to limit access to abortion in Michigan and
17 throughout the country.