

It was recently announced that the IAFP will be a plaintiff in a lawsuit against the State of Idaho. The IAFP is one of several plaintiffs, the other of which are individuals, including IAFP members. The purpose of the lawsuit is very focused and limited to clarifying the language and scope of the medical exceptions to the abortion bans, and asking the courts to ensure that physicians can treat dangerous obstetric complications that can potentially occur in any pregnancy without fearing criminal prosecution, civil lawsuits, or loss of licensure. These are commonly referred to as “health exceptions.” I invite you to read the complaint filed on September 12 [here](#) and learn more about this effort in detail.

This is not an attempt to return to the law prior to the 2022 US Supreme Court decision in Dobbs. The only agenda in the lawsuit is to support physicians in practicing evidence-based care and reducing harm to patients. Towards that end, the complaint is very narrow regarding patient safety, confidentiality of the physician patient relationship, and the ability of physicians to provide evidence-based medical care for women experiencing a pregnancy-related crisis in order to preserve their health and safety, including future fertility.

As is explained in the complaint:

“Because the bans lack clarity regarding how and when the Medical Exceptions apply, and because there are serious threats of criminal prosecution, civil liability, and licensing penalties for violating the bans, many IAFP members have been forced to alter the way they provide medical care to avoid legal consequences.”

The IAFP board elected to be involved for several reasons. In fact, within our mission we state we are to, “advocate for family physicians and their patients.” The board recognizes our members need clarity in the laws and that patients are suffering due to current confusion. Of note, the legal services are being provided to IAFP free of charge. When you review the complaint, we are confident you will be troubled by the real harms patients are experiencing under Idaho law. While the individual plaintiffs have significant reason to be involved, the board realizes many of our members throughout Idaho are struggling to understand what is allowable in providing necessary care and what can be done to continue to provide high quality medical care to our patients and communities.

Your IAFP board is a diverse group and represents all regions and backgrounds of Idaho. We work hard to make decisions with thoughtful and meaningful intent and this case is no different. We are doing our best to represent all the various views and values of our members. We are hopeful that by taking this action we can bring about stability in our practices so that we know we can provide evidence-based care to the degree of our education, training, and medical expertise, in a confidential and compassionate manner. We also hope with clarity in the law we can support our colleagues and their desire to continue providing obstetric care in Idaho.

As obstetricians and MFM providers leave the state due to confusion over Idaho’s current laws, the burden of providing obstetric care increasingly falls on our family medicine colleagues. Everyone that continues to care for pregnant patients knows these complications can occur to

any woman and any pregnancy. We are asking the State to help us take care of our patients and ultimately the health of all Idahoans. Thank you for your understanding as we move through this process. You are welcome to contact me if you have questions about the lawsuit at willjohnmd@yahoo.com.