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# MT Supreme Court Upholds Abortion Law Injunction

By KEVIN TREVELLYAN · APR 29, 2019

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## *MT Supreme Court Upholds Abortion Law Injunction*

A divided Montana Supreme Court has upheld a ruling that allows advanced practice registered nurses to provide abortions while they challenge a state law that says only physicians and physician assistants can perform the procedure.

Last spring, a state judge temporarily blocked the state law as it applied to Whitefish nurse practitioner Helen Weems and an unidentified nurse midwife. Since then, Weems has been providing abortions at her clinic.

ACLU of Montana Executive Director Caitlin Borgmann says that prior to the judge's action, the Flathead Valley hadn't had an abortion provider since 2014. Borgmann says that some Montanans would need to travel nearly 200 miles for an abortion if advanced

practice nurses couldn't offer the procedure.

"So many Montanans live in rural places where it's a long drive for them to get anywhere where there is an abortion provider. So if there are more qualified healthcare professionals that can provide them safely, it just means more Montanans have access to that service," she says.



*Montana Supreme Court*

The ACLU of Montana and the Center for Reproductive Rights have been representing Helen Weems.

In its 4-3 decision Friday, the Montana Supreme Court upheld the temporary protection for Weems, saying medical providers can challenge laws related to patients' constitutional privacy rights to obtain a legal medical procedure from a competent health care provider.

Studies have indicated that advanced practice nurses provide abortions with the same level of safety as physicians and physician assistants.

The ACLU of Montana and Center for Reproductive Rights will now ask a district judge to permanently OK advanced practice nurses' ability to perform abortions. A trial date hasn't been set.

**TAGS:** HELEN WEEMS MONTANA SUPREME COURT ACLU OF MONTANA

CAITLIN BORGMANN CENTER FOR REPRODUCTIVE RIGHTS ABORTION

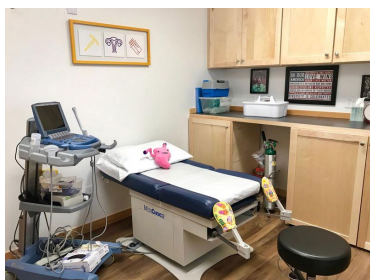
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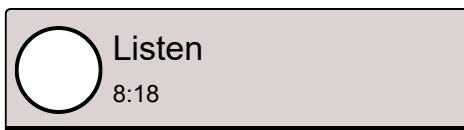
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### Nurses Fight To Expand Abortion Access In Montana

By NICKY OUELLET · OCT 3, 2018



NICKY OUELLET



If you lived in the Flathead Valley and wanted or needed to abort a pregnancy in

the past four years, the closest clinic was more than 100 miles away in Missoula, Great Falls, Helena or Billings.

### Judge Issues Injunction In Montana Abortion Provider Case

By AMY BETH HANSON - ASSOCIATED PRESS · APR 9, 2018



(PD)

HELENA, Mont. (AP) — A state judge says an advanced practice registered nurse and a certified nurse midwife can provide abortions in Montana while they challenge a state law — as long as they have the proper training.


The preliminary injunction comes in the case of two nurses who are challenging the constitutionality of a law that allows only physicians and physician assistants to

perform abortions.

## Court Will Hear Challenge To Montana's Abortion Provider Restrictions

By CORIN CATES-CARNEY · MAR 7, 2018



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A nurse in the Flathead Valley will ask a Montana district court

Thursday to suspend a state law that limits who can and cannot perform abortions. She's being represented by the American Civil Liberties Union.

Only physicians and physicians assistants can legally perform abortions in Montana. It's a felony for others to perform the procedure.



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