

New York State Abortion Rights

Clinical Education Initiative
NYSDOH AIDS Institute

CEI's Guiding Principles on Abortion

CEI encourages clinicians to provide or facilitate access to stigma-free health services, including sexual health care, reproductive choice including abortion, and drug user health care, among others.

CEI recognizes that abortion is a health care service and, therefore, patients with unintended pregnancies should have access to comprehensive pregnancy counseling, including parenting, abortion, and adoption.

Abortion is Legal and Protected in New York State



New York guarantees the unqualified right to abortion up to 24 weeks from the start of the pregnancy.



Abortion is permitted after 24 weeks if the fetus is not viable or if the pregnant person's life or health is at risk



Minors may responsibly access abortion or other reproductive health services without parental notification or consent.



Abortion services in New York are confidential



New York requires insurance coverage for abortion

Abortion Provider FAQs

Do NYS laws protect out-of-state patients seeking NYS abortion services?

Regardless of your place of origin, if you are in New York an have a legal abortion, your protections include:

- We will not return you to another state that wants to arrest you for a legal abortion you had in New York.
- New York police cannot arrest you or anyone in New York helping you, help another state arrest you, or provide another state with information about your abortion.
- No one in New York can threaten, hurt, intimidate, or interfere with you because you wish to have an abortion or use any other reproductive-health service.
- You can countersue an out-of-state agency or individual who prosecutes you for having a legal abortion in New York.

Do NYS laws protect healthcare providers who provide abortion healthcare services?

Yes, NYS if you are a healthcare provider and provide abortion healthcare services, your protections include:

- A medical-malpractice insurer cannot penalize you for providing legal abortion care in New York.
- Providing legal reproductive health services in NYS ensures that you are protected from facing professional disciplinary charges or having your medical license revoked.
- If another state begins an investigation into an abortion that you legally performed in New York,

New York will not arrest or extradite you, share information with the other state, or issue a subpoena or compel testimony in connection with that legal abortion

Relevant Resources

NYSDOH Resources

New York State Consumer Information: <https://www.ny.gov/programs/abortion-new-york-state-know-your-rights>

New York State Abortion Policy: <https://www.ny.gov/abortion-new-york-state-know-your-rights/protecting-strengthening-abortion-rights>

Attorney General Resources

Abortion is Legal and Protected in New York State:
<https://ag.ny.gov/sites/default/files/abortion-laws-english.pdf>

New York State Abortion Law FAQs for Law Enforcement:
<https://ag.ny.gov/sites/default/files/lawenforcementletter-reprorights.pdf>

Reproductive Rights: <https://ag.ny.gov/resources/individuals/health-care-insurance/reproductive-rights-abortion-legal-new-york#faq>

Other Resources

Emergency Department after the Fall of Roe: Are You Prepared?:
<https://www.acepnow.com/article/the-emergency-department-after-the-fall-of-roe-are-you-prepared/>

Society of Family Planning interim clinical recommendations: Self-managed abortion: <https://www.societyfp.org/society-of-family-planning-interim-clinical-recommendations-self-managed-abortion/>