

Duckworth Reaction to New Alabama IVF Law

March 7 2024 10:50 AM



WASHINGTON, D.C. – U.S. Senator Tammy Duckworth (D-IL)—author of the [*Access to Family Building Act*](#) that would protect access to in-vitro fertilization (IVF) nationwide—issued the following statement after Alabama Governor Kay Ivey signed Republican state lawmakers’ intrinsically flawed legislation into law, which as written, validates the extreme Alabama Supreme Court ruling that embryos are human children under the state’s Constitution. The new state law actually affirms that the purposeful disposal of embryos is—according to Republicans in Alabama—murdering a human child and that doctors and women must receive immunity from criminal and civil liability to undergo IVF procedures and treatments.

“I’m disappointed that Republican state legislators in Alabama refused to work in a bipartisan way to pass a real solution to this Republican-created crisis that makes it clear: an embryo is *not* a human being. Instead, this legislation is an insult to so many hopeful parents struggling to conceive—which is already painful enough—because it affirms the unscientific view that those who rely on IVF and their doctors are in fact committing criminal acts, including murdering children, and simply provides them with immunity to do so. That’s a far cry away from the justice and reproductive freedom all families deserve. Republicans created this health crisis in the first place by campaigning for decades to overturn *Roe v. Wade*, and they owe families struggling with infertility a real and lasting solution to fully protect IVF.”

In the wake of the state court ruling, [at least three](#) providers in Alabama suspended IVF services out of fear of legal repercussions—making it harder for patients to access the IVF treatments they rely on to start or grow the family of their dreams despite already spending thousands of dollars to undergo that treatment. In order to help fix this healthcare crisis, [Duckworth urged her Republican colleagues to get out of the way](#) of Democrats’ efforts to pass her *Access to Family Building Act* through unanimous consent, but U.S. Senator Cindy Hyde-Smith (R-MS) objected last week.

“I’ve been warning that IVF would be next for years and Donald Trump—who brags about being the one who killed *Roe v. Wade*—is an anti-choice monster of Republicans’ own making. Senate Republicans also had their chance to protect access to IVF nationwide by letting my bill pass last week—and they blocked it. Make no mistake: what happened in Alabama won’t be the last of Republicans’ efforts to rip rights away from women. Before any other state tries to enact even more draconian laws around the country, we must pass my *Access to Family Building Act* to protect every American’s right to become a parent through IVF—no matter what zip code they live in.”

Building on her continuing efforts to protect access to IVF and other assisted reproductive technology (ART), Duckworth [announced](#) that she will be bringing Illinois reproductive endocrinologist and infertility specialist Dr. Amanda Adeleye as her 2024 State of the Union guest. Dr. Adeleye is the Medical Director of CCRM Fertility’s Chicago-area center, where she specializes in reproductive endocrinology and fertility.

Following the Alabama State Supreme Court ruling, support for Duckworth’s *Access to Family Building Act* continues to grow. The legislation—which would establish a statutory right to access IVF for all Americans who need it to start or grow a family—now has 47 Senate cosponsors, despite Senate Republicans blocking the legislation from being passed last week. The legislation that Senate Republicans blocked builds on [previous legislation](#) that Duckworth introduced in 2022. That year, Duckworth went to

the Senate floor and [pleaded](#) with her Republican colleagues to help pass the legislation through unanimous consent. Republicans objected. The *Access to Family Building Act* is endorsed by the American Society for Reproductive Medicine (ASRM) and RESOLVE: The National Infertility Association.

Last year, Duckworth also joined Murray in reintroducing the [Reproductive Healthcare Accessibility Act](#), legislation to help people with disabilities—who face discrimination and extra barriers when seeking care—receive better access to reproductive healthcare and the informed care they need to control their reproductive lives. Additionally, Duckworth and U.S. Representative Gerald Connolly (D-VA-11) [urged](#) the Office of Personnel Management to require Federal Employees Health Benefit (FEHB) Programs to cover IVF. This resulted in the first nationally available healthcare plan to offer IVF coverage for federal employees insured by the FEHB program.

Duckworth was the first Senator to give birth while serving in office and had both of her children with the help of IVF. In 2018 she [advocated](#) for the Senate to change its rules so she could bring her infant onto the Senate floor. She has made protecting and expanding access to essential reproductive healthcare a top priority. She joined her colleagues to [applaud](#) the Biden Administration's landmark decision to allow the Veterans Health Administration (VHA) to provide abortion care to Veterans and their eligible dependents to protect the health and life of the person and in cases of rape or incest.