

Abortion Rights in Washington State

In Washington State,

- ✓ *You have the legal right to choose an abortion.*
- ✓ *You have the legal right to decide to have a child.*
- ✓ *No one can make this decision for you, even if you are under age 18.*



www.legalvoice.org

What is an abortion?

Abortion is a medical procedure that ends a pregnancy with either a surgical procedure or with medication (pills).

Do I have a legal right to decide to have an abortion?

Yes. If you are pregnant and you want to end your pregnancy, you have the right to make that decision for yourself. It doesn't matter if you are a minor, an adult, are married, have a disability, are an immigrant, or are gender non-conforming. The only exception is if you are late in your pregnancy. See the next Q&A for an explanation.

Can I have an abortion for any reason?

Yes. You can have an abortion before fetal viability for any reason. Fetal viability means that the fetus, if born, could survive. That is at about 24-25 weeks into a pregnancy. After that, you can get an abortion if it is necessary to protect your health or your life.

Can I be forced to have an abortion?

No. It doesn't matter how old you are or where you live. In Washington State, only you yourself can decide whether or not to have an abortion.

Do I need anyone else's permission to have an abortion?

No. You do not have to notify or get permission from your husband, your boyfriend, your parents, or anyone else before getting an abortion.

I am under 18 years old. Do I have to tell my parents or get their permission to have an abortion?

No. You do not have to tell your parents or get their permission before you have an abortion in Washington. Your medical records about the abortion

are confidential. In many other states, however, the law is different. If you live outside of Washington State, talk to your doctor or call an abortion clinic that serves your area to ask about your rights. See “Where Can I Get an Abortion?” below.

I am an undocumented immigrant. Can I get an abortion?

Yes. And if you are low-income, you can get help paying for it from Washington State. To see what medical programs you qualify for, see listings under “Washington Apple Health” in Resources at the end of this memo.

Who can perform an abortion?

It depends on the type of abortion you are seeking. In Washington State, only physicians (medical doctors) are allowed to perform surgical abortions. However, physicians and Advanced Registered Nurse Practitioners (ARNPs) can prescribe or provide pills for a medication abortion.

Where can I get an abortion?

Women’s health clinics, Planned Parenthood, some private clinics, and some hospitals offer abortion care.

Not all providers, hospitals, and clinics offer abortion care. Even if the hospital or clinic does offer abortion care, an individual health care provider there can refuse to perform an abortion. However, you should receive a referral to a place that does provide abortion care. If that does not happen, contact Legal Voice at info@legalvoice.org or 206-682-9552.

See listings under “Support and Referrals” for a list of organizations that provide referrals for abortion care.

Do I have to wait 24 hours before I can get an abortion in Washington State?

No. Washington does not require any “waiting period” before you can get an abortion. However, some health care facilities may only schedule abortions on certain days, or you may have to wait because the facility is very busy.

Can I get an abortion in another state?

Yes. You have the right to travel to a different state to get an abortion. However, if you go to another state, the laws of that state will apply to you. For example, Idaho law requires “parental consent” before a minor can have an abortion. Therefore, if you are a minor and you travel to Idaho for an abortion, you will have to get permission to have

an abortion from one of your parents, or you will have to get an Idaho judge to give you permission to have the abortion without a parent's consent.

Note that Washington State insurance might not cover the cost of an abortion performed outside Washington. You should find out in advance whether your insurance will pay for an out-of-state abortion.

Are protesters allowed to harass women going into abortion clinics?

No. In Washington, protesters are not allowed to stop a person from entering a clinic or other medical facility, make loud noises outside that disturb the people inside the clinic, trespass on the private property of the clinic, or threaten patients or doctors. Protesters may, however, picket or demonstrate near clinics as long as they do not interfere with the operation of the clinic and the ability of patients to receive medical care without the threat of physical or mental harm.

How much does an abortion cost?

It depends on the type of abortion, how long you have been pregnant, and where you go for abortion care. Medication abortions may be less expensive than surgical abortions. First-trimester abortions are less expensive than late-term abortions. But how much you have to pay depends on your health insurance coverage. Insurance coverage and financial help is discussed below.

In addition, you may also have to pay for travel and lodging, and take time off from work. Depending on your work situation, you may be able to use sick leave or medical leave time to cover any lost wages, but not all workers are covered. See Resources under "Other Information" at the end of this memo.

Is there any way to get help paying for my abortion?

If you are eligible, Washington's health insurance program for low-income people, called Washington Apple Health, pays for abortions. See Resources at the end of this memo to find out if you are eligible and to apply. All immigrants, including undocumented immigrants, can get abortion coverage through Washington Apple Health if they are low-income.

Nonprofit groups, such as NW Abortion Access Fund, may also be able to help you pay for your abortion expenses. Some abortion providers offer financial assistance to low-income patients. See listings under "Support and Referrals" in Resources at the end of this memo.

Does health insurance cover abortion?

Many health insurance plans in Washington State cover abortions. Look at your insurance policy or call your insurance company to find out if abortion services are covered by your insurance plan. Your health care provider can also call ahead to find out about your coverage and what percentage of the fee your insurance will cover.

I see ads for places offering “alternatives to abortion.” What are those places?

These are “crisis pregnancy centers,” and are run by groups that oppose abortion. If you are looking for birth control or abortion services, do not go to a crisis pregnancy center. The goal of most of these centers is to discourage women from having abortions. Most of them will not provide you with abortion services, information about birth control, or referrals to abortion providers. They may offer free pregnancy testing, but often refuse to give you the written test results you need in order to apply for financial aid for the abortion (see “Is there any way to get help paying for my abortion?” earlier in this publication). If they offer ultrasound (sonogram) services, the technicians may not be properly trained, and they seldom provide a doctor or radiologist to properly interpret your results. For more information, see the Legal Voice publication *Know Before You Go: Crisis Pregnancy Centers Want You to Stay Pregnant*.

How can I tell a crisis pregnancy center from a medical clinic?

You can usually identify a crisis pregnancy center based on where it advertises and what the advertisements say. Crisis pregnancy centers are often in internet search results for “abortion,” and on busses and billboards. Their ads may talk about “abortion counseling,” “pregnancy options,” or “help with your pregnancy.” Real medical clinics that offer a full array of pregnancy services, including abortions, will be listed as “abortion providers” or “family planning clinics.” Their ads will identify all the services they provide, including counseling, birth control, and abortion. See listings under “Support and Referrals” in Resources below for referrals to abortion providers.

Resources

Support and Referrals

- Backline: Operates a toll-free talkline to provide judgment-free support for pregnancy options, pregnancy loss, abortion, adoption, parenting, infertility, or other reproductive decisions and experiences.
By phone: 1-888-493-0092
Online: <http://yourbackline.org/find-support/>

- Northwest Abortion Access Fund: The Pacific Northwest's abortion fund. Provides referrals, fundraising counseling, and help to pay for abortions and related travel.
Online: <https://nwaafund.org/>
By phone: 1-866-NWAAF10 (1-866-692-2310)

Washington Apple Health

- Find out if you are eligible:
By phone: 1-855-923-4633 (toll-free); TTY: 1-855-627-9604 (toll-free)
Online: www.washingtonconnection.org/home/; click on “See if I qualify”
- Apply for Apple Health:
In person: Visit a DSHS Community Services Office (CSO). To find one in your area, call the DSHS Customer Service Contact Center at 1-877-501-2233 or visit www.dshs.wa.gov/esa/community-services-find-an-office.
By phone: To apply by phone, and for questions about eligibility, etc., call the Washington Healthplanfinder Customer Support Center at 1-855-923-4633 (toll-free) or TTY 1-855-627-9604 (toll-free).
Online: www.wahealthplanfinder.org; click “Apple Health Coverage”
- Need help? A Navigator can help you with your application for free.
By phone: 1-855-923-4633; TTY: 1-855-627-9604
Online: www.wahbexchange.org; click on “Find a Navigator”

Other Information

- *Family Leave Laws*, by Legal Voice
Online: www.legalvoice.org/family-leave-laws
- *Know Before You Go: Crisis Pregnancy Centers Want You to Stay Pregnant*, by Legal Voice
Online: www.legalvoice.org/know-before-you-go
- *Know Your Rights at Work: Family and Medical Leave Act (FMLA)*, by AAUW
Online: www.aauw.org/what-we-do/legal-resources/know-your-rights-at-work/family-and-medical-leave-act/

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of January 2018.

Updated by Priya Walia and Chloë Phalan, 1/31/2018.

Acknowledgments to Sara Ainsworth, Deb Klein, Helen Eastwood, Arcadia Corbett, Lisa Gouldy, and Janet Chung for their efforts on previous versions of this memo.

© 2018 Legal Voice — 1-206-682-9552

(Permission for copying and distribution granted to the Alliance for Equal Justice and to individuals for non-commercial purposes only.)