



Frequently Asked Questions About Abortion

A resource for advocates
working with survivors of violence



Virginia Sexual and Domestic Violence
ACTION ALLIANCE

What is the status of abortion in Virginia?

- **Abortion is STILL legal:**
 - Abortion is legal in Virginia up until the end of the second trimester.
 - Third-trimester abortions are only allowable in cases of life endangerment of a parent, rape, incest, OR “incapacitating mental or physical deficiencies.” Three doctors must certify one of these conditions is met.[1]

Can a minor receive abortion care in Virginia?

- A parent, guardian, or adult sibling of a pregnant minor must provide consent before the procedure and must be notified of the decision at least 24 hours before the procedure. However, minors can receive a judicial bypass that waives these requirements. The If/When/How Judicial Bypass (JB) Helpline helps people under 18 navigate the judicial bypass system. To contact the JB Helpline, call 844-868-2812 or [submit a request online](#).
- For more information about how judicial bypass works, you can visit the [Judicial Bypass Wiki](#).
- [Abortion consultations are still available without parental/ guardian permission.](#)[2]
- Even if the advocate or hotline worker is a mandated reporter, an advocate does NOT need to report simply for the abortion itself. The only reason that a mandated reporter would need to report this situation is if they believe that the pregnancy was a result of abuse by a caretaker.

[1] Source: Washington Post

[2] Source: Alcove Health



What are abortion pills (aka “Plan C”)?

- Abortion pills are made up of two active ingredients: mifepristone and misoprostol. They are an FDA-approved, safe method of abortion. Medication abortion constitutes 52% of abortions in America. Abortion pills are different from emergency contraception (also known as Plan B).[3]
- Abortion pills can be appropriate in many cases for self-managed abortions at home, versus have an in-clinic abortion. This website is a helpful resource for determining which choice is best for the pregnant person.

Can you get abortion pills online?

Are there any legal risks?

- Yes, you can get them online. There are abortion pill providers who will prescribe and ship to your home as a result of an FDA approval for online prescription. Typically, these ship only to states where abortion is legal. However, some organizations, such as Aid Access, will have European doctors provide the prescriptions for the pill for a low-cost, “self-managed” abortion (taking the pill at home), which is then shipped from India. This CAN pose legal challenges if an anti-abortion state chooses to prosecute individuals seeking abortion online. Plancpills.org is a great resource to learn more about various options for telehealth abortions.
- Now that constitutional protections have been removed, there is an increasing movement among anti-abortion states to ban access to telehealth abortion pill prescriptions despite FDA approval of the drug. The Plan C website offers legal options to minimize risk, including seeking legal advice on a free hotline, or even legal representation if necessary from organizations such as the National Advocates for Pregnant Women.
- **IMPORTANT SAFETY TIP:** Some states have used browsing history/digital footprints to prosecute individuals seeking abortions. ALWAYS search for abortion access in private browsing or “incognito” mode for extra safety and try to limit your digital footprint as it relates to seeking abortion as much as possible. While this may not be necessary in Virginia right now, it is a good practice to adopt.

[3] Source: <https://www.gutmacher.org/article/2022/02/medication-abortion-now-accounts-more-half-all-us-abortions>

What are good sites/resources to refer clients to?

- There are many sites that provide safe, reliable information on abortion access in Virginia.
- [Chat/Text](#) is a Planned Parenthood resource where trained health educators answer questions about sexual and reproductive healthcare, including abortion.
- [Abortionfinder.org](#) is a great new tool created by nationally recognized reproductive and sexual health organizations including Planned Parenthood Federation of America (PPFA).
- [PlanCPills.org](#) details more information on telehealth pill access.

What is President Biden doing on a national level to ensure access to reproductive healthcare?

- The Biden administration issued an executive order designed to increase access to reproductive healthcare services. The executive order helps pregnant people travel out of state to receive abortions, ensures healthcare providers comply with federal laws so that pregnant people aren't facing delays in receiving care, and advances research and data collection to evaluate the impacts of abortion restrictions on maternal health and other health outcomes.
- [President Biden is currently considering declaring a public health emergency](#) in order to ensure nationwide access to online-order abortion pills. The proposal would rely on powers under the Public Readiness and Emergency Preparedness (PREP) Act reserved for public health emergencies to shield doctors, pharmacies, and others from liability for providing abortion pills to people across the country — even those who live in states that have outlawed or severely restricted the procedure.[4]

[4] Source: Politico

What is the possible future of abortion in Virginia?

- Governor Youngkin has openly announced his intent to ban abortion after 15 weeks, appointing four Republican lawmakers to draft the bill. Governor Youngkin has noted the ban may land closer to 20 weeks, as this will gain more bipartisan support. If anti-abortion legislators gain control of the General Assembly in the next election, it is very likely that abortion will become more restricted in Virginia.[5]

Can we expect an increase of abortions in Virginia?

- Most likely, yes. As more states in the South pass abortion bans, more individuals seeking abortions will be forced to travel across state lines to access abortion care. In the South, Virginia is among the closest “haven” state (a state where abortions are still accessible) for these individuals. There are 15 in-person abortion providers in Virginia. If the volume of those seeking abortions rises significantly in Virginia, it may become difficult for providers to meet the increased need.

Will states that prohibit abortion prosecute those who seek abortions in other states?

- It is STILL legal to travel to other states where abortion is legal, and to help individuals in abortion-restricted states access abortions outside of states.



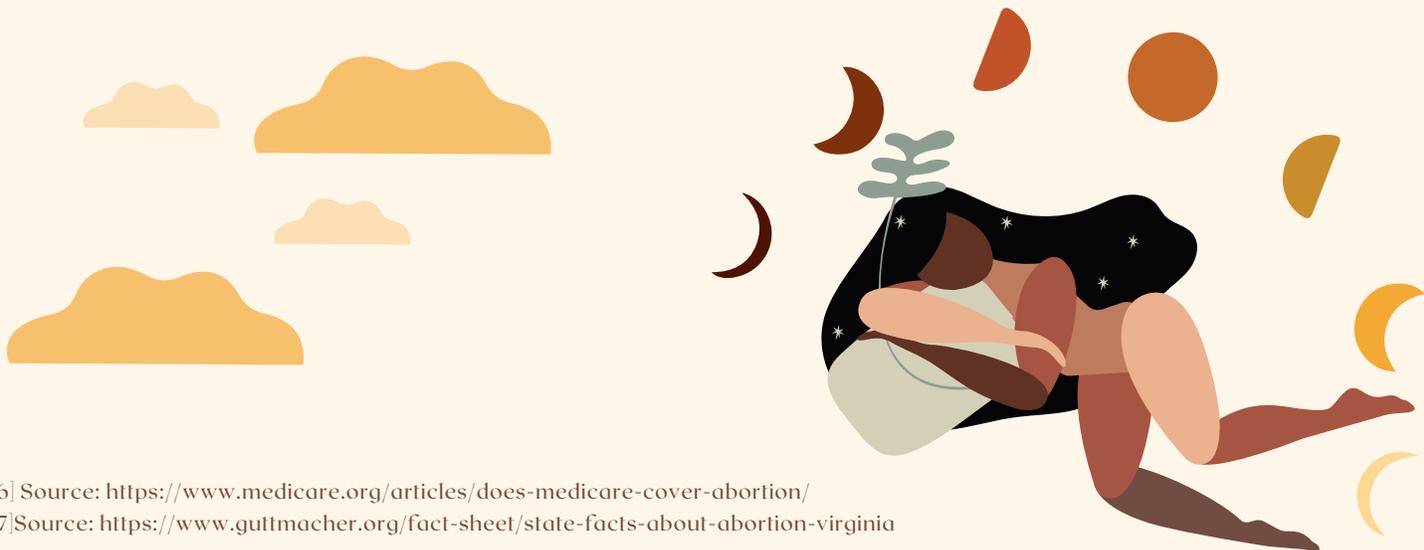
[5] Source: <https://www.washingtonpost.com/dc-md-va/2022/06/24/virginia-youngkin-abortion-15-week-ruling/>

What is covered by Medicare/insurance for public employees in Virginia?

- Because of the Hyde Amendment, no federal insurance can be used towards an abortion except in cases of life-threatening pregnancy, rape, or incest.[6]
- Public employees in Virginia are also limited by the same exceptions above if you use state health insurance (meaning, there must be a life-threatening pregnancy, rape, or incest). This INCLUDES online abortion pills.[7]

Are there any resources in Virginia which specifically support LGBTQIA+ survivors seeking reproductive healthcare, including abortion services?

- There are several healthcare centers in Virginia that offer LGBTQIA+ friendly services. One example is Planned Parenthood, which offers gender-affirming healthcare at their clinics in Virginia. Patients can access Planned Parenthood for a range of healthcare needs, including primary care and reproductive healthcare.
- If you are working with trans survivors, this is a helpful, up-to-date resource list organized by geographic region, which includes resources for mental health and medical care.



[6] Source: <https://www.medicare.org/articles/does-medicare-cover-abortion/>

[7] Source: <https://www.guttmacher.org/fact-sheet/state-facts-about-abortion-virginia>

What resources exist in Virginia for undocumented survivors seeking abortion?

In the Virginia area, Tahirih Justice Center and Ayuda may be able to provide referrals:

- Tahirih Justice Center provides services to immigrant survivors fleeing gender-based violence.
- Ayuda provides legal, social, and language services to help immigrants with low incomes access justice.
 - Undocumented immigrants seeking reproductive justice support and services should contact Ayuda at 703-444-7009 to access support through the social services tier of support. Immigrants seeking social services support do not have to have a legal case with Ayuda. As of September 9, 2022, they are at capacity and not able to take on new clients (on the social services side,) but this should clear up in October. Immigrants seeking support will go through an initial phone screening with a case manager. The Case Manager will assess an individual's needs, identify the locality and assist with system navigation.
 - Ayuda does not have any funding specific for abortion care and support, but they have an emergency medical care fund that can be used at area clinics. Case Managers will assist survivors with finding low-cost or free services. They will also screen to see if an individual would qualify for legal support to access state benefits (mainly in the case of minors and human trafficking survivors.) Some medical clinics in the Virginia, D.C., and Maryland area offer scholarships and financial assistance for survivors who are not able to access Medicaid or other insurance options.
- Virginia Poverty Law Center's (VPLC) Legal Assistance to Victim Immigrants of Domestic Abuse (LA VIDA) is a free immigration program available ONLY to low-income domestic or sexual violence victims who are undocumented immigrants or whose temporary visas are about to expire. LA VIDA helps eligible clients attain Lawful Permanent Resident (LPR or "green card") status. If you already have your LPR status and wish to naturalize to become a U.S. Citizen, you will have to seek assistance at another organization.



Additional resources:

BCBenefits is a contraceptive access fund that helps people of low income overcome some of the most commonly-faced barriers in access to contraception, such as transportation.

Chat/Text is a Planned Parenthood resource where trained health educators answer questions about sexual and reproductive healthcare, including abortion.

Guttmacher: Abortion Laws By State is a frequently updated overview and breakdown of abortion laws by state.

If/When/How: Lawyering for Reproductive Justice offers free, confidential legal information or advice about self-managed abortion, young people's access to abortion or judicial bypass, and referrals to local resources.

Judicial Bypass Wiki is a resource guide for judicial bypass by state from If When How that walks through the parental involvement/notification laws, local organizations that can support the judicial bypass process, and provides general process information.

The Miscarriage and Abortion Hotline is a team of pro-abortion clinicians available 8am-11pm to provide expert advice on self-managing a miscarriage or abortion.

The National Network to Fund Abortions can provide info on local places. Here are Virginia's regional abortion funds. These places all communicate with one other and pool resources as needed.

Regional Abortion Funds

- **Hampton Roads Reproductive Justice League**
- **Blue Ridge Abortion Fund**
- **New River Abortion Fund**
- **Richmond Reproductive Freedom Project**



What is my role, as a sexual and domestic violence victim advocate, in supporting pregnant survivors?

- Survivors need access to sexual and reproductive health care to help heal from the trauma of violence. A survivor of sexual violence who is pregnant must be able to make decisions about whether to end a pregnancy, choose adoption, or raise a child.
- Survivors, like all people, deserve access to non-judgmental, safe, legal, affordable, and medically accurate information and care, including counseling and/or trauma-informed advocacy services. This should happen without pressure or added burdens.
- Our role as advocates is to provide options and resources in a non-judgmental and supportive way for survivors to make their own choices with informed consent. This is an essential part of survivors finding a path to healing.



Virginia Statewide Hotline

Call: 800.838.8238

Text: 804.793.9999

Chat: <https://www.vadata.org/chat>



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