



## Telehealth Abortion Temporarily Halted Nationwide

By Cara Smith / May 1, 2026 at 8:44 PM

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The Fifth District Court of Appeals on Friday (May 1) issued a nationwide injunction temporarily blocking telehealth abortion until a key court case can be further litigated, with the future of mail-order abortion pills, even in states without restrictive abortion laws, likely to soon land at the U.S. Supreme Court.

A major victory for anti-abortion advocates, the ruling comes as FDA has faced pressure from Republican politicians to issue its own restrictions on mifepristone; a Supreme Court ruling could take the issue out of HHS' hands.

The court order sides with Louisiana's claims that making abortion pill mifepristone legal to obtain via mail is harming the state by allowing medication abortions to continue in the state despite its near-total abortion ban.

"Louisiana has shown that it is irreparably harmed without a stay," the decision reads.

While the Fifth Circuit panel's ruling could be appealed to the *en banc* court, anti-abortion advocates are hoping for a swift hearing at the Supreme Court, giving the conservative majority another chance to limit medication abortion after a prior case lacked proper standing to limit access to the drug.

"Great news for the unborn in Louisiana! The 5th Circuit Court of Appeals has granted the state of Louisiana's request for a stay on the Biden-era regulations on mifepristone, which have nullified Louisiana's pro-life laws," said Tony Perkins, president of the Family Research Council, in a statement Friday evening. "The stay was granted because Louisiana has a good chance of winning its case against the FDA."

"This should be before the U.S. Supreme Court soon," he added.

The plaintiffs in the ongoing lawsuit, *Louisiana v FDA*, over the availability of the abortion drug are seeking to reinstate in-person requirements on the basis that mailing abortion medication violates the Comstock Act, an antiquated federal law that restricts mailing of materials to cause an abortion. The case, filed last fall, is centered around a patient whose boyfriend was able to obtain abortion medication via mail and gave it to the patient without her knowledge.

GenBioPro, manufacturer of generic mifepristone, said the Fifth Circuit reinstated "outdated and medically unnecessary requirement that mifepristone be dispensed only in-person at a clinic."

"Although the case has been brought only by the state of Louisiana, if this ruling is allowed to stand, everyone in America will lose access to mifepristone by mail or from a pharmacy," the company said in a statement. "Women nationwide will be forced to navigate unnecessary barriers in order to pick up the medication in person at a hospital, clinic, or medical office -- including in states where abortion remains legal."

"We are alarmed by this court's decision to ignore the FDA's rigorous science and decades of safe use of mifepristone in a case pursued by extremist abortion opponents. We are reviewing the court's order in detail," said GenBioPro CEO Evan Masingill. "We remain committed to taking any actions necessary to make mifepristone available and accessible to as many people as possible in the country, regardless of anti-abortion special interests trying to undermine patients' access. As we have said time and time again, GenBioPro firmly believes that all people, regardless of income, gender, race, or geography, have a right to access evidence-based health care and safe and effective medicines, and that includes mifepristone."

Reproductive rights advocates voiced staunch opposition to the decision.

Serra Sippel, executive director of the Brigid Alliance, said the decision will create mass delays and dangers for pregnant people that are likely to travel hundreds or thousands of miles for care.

“Over the past several years, we’ve seen a dramatic rise in abortion travel and a growing reliance on practical support networks like ours, particularly in states where patients already travel long distances for care. This decision will significantly accelerate that trend,” Sippel said in a news release. “Blocking mail access to mifepristone means more confusion and stigma, more logistical hurdles, more financial strain, and more patients pushed later into gestation because of preventable delays.

Nourbese Flint, president of All\* Above All, said the decision is “a devastating reminder that access to abortion in this country is under constant, coordinated attack, even when it is safe, effective, and supported by decades of evidence.”

“As always, the people most impacted will be Black and brown communities and those already navigating systemic barriers to care,” Flint said in a statement. “We will not accept a future where politicians and courts override evidence and undermine our autonomy. We will continue to organize, build power, and fight for a future where everyone, no matter who they are or where they live, can access the care they need with dignity and without fear.”

Anu Kumar, president of global reproductive rights organization Ipas, said that the ruling will have international ripple effects on the future of medication abortion worldwide.

“The United States has vast influence on health and reproductive rights, and could be setting the global standard,” she said. “This decision, which will block patients’ access nationwide to medication abortion via mail or pharmacies, sets a grave precedent for other countries that look to the United States for their own reproductive rights decisions.” -- *Cara Smith* ([csmith@iwpnews.com](mailto:csmith@iwpnews.com))

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