

CORE Brief

Wisconsin reproductive health policy timeline, 2010-2019

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Overview

In 2010, Wisconsin Republicans gained a majority in both the State Assembly and State Senate and elected Republican Governor Scott Walker.^{1,2,3} Since the 2010 elections, this increased representation has allowed Wisconsin Republicans to pass legislation aimed at restricting access to reproductive services. This document provides a history of key reproductive health related policies and events in Wisconsin between 2010 and 2019.

What happened in 2010?

State Assembly (Democrat controlled)

State Senate (Democrat controlled)

Governor Jim Doyle (Democrat)⁴

Madison Surgery Center halted plans to provide second-trimester abortions, citing concerns for patient safety. Previously, UW Hospital and Clinics, the UW Medical Foundation and Meriter Hospital ran the center. In 2009 the center approved plans to provide second trimester abortions at the facility. The surgery center board unanimously approved the plan.⁵ In December 2010, the Madison Surgery Center announced that they were abandoning the plan. UW Health cited the "open and multi-purpose nature" of the center as a challenge to ensuring patient safety.⁶ The service would have replaced the practice of Dr. Dennis Christensen, who had provided second-trimester abortion services at Planned Parenthood's Madison Clinic.⁷

President Barack Obama signed the Affordable Care Act. In March 2010, President Barack Obama signed the Patient Protection and Affordable Care Act (ACA) into law. While Democrats celebrated this achievement as a victory, many Republicans immediately pushed for repeal of the law, calling for "repeal and replace."⁸ The law extended healthcare coverage to millions of Americans through the creation of healthcare insurance marketplaces, or exchanges, and expanded Medicaid coverage to adults with incomes

¹ "[Wisconsin State Assembly Elections, 2010](#)" *Ballotpedia*. 2010.

² "[Wisconsin State Senate Elections, 2010](#)," *Ballotpedia*. 2010.

³ "[Election 2010 Results: Wisconsin](#)," *The New York Times*. 2010.

⁴ "[Party Control of Wisconsin State Government](#)," *Ballotpedia*. 2019.

⁵ Wahlberg, David. "[Board Approved Abortion Clinic; Madison Surgery Center Will Offer Second-Trimester Abortions](#)," *Madison.com*. 2009.

⁶ "[Madison Surgery Center Will Not be a Site for Second-Trimester Abortions](#)" *WMTV 15*. 2010.

⁷ Wahlberg, David. "[Board Approved Abortion Clinic; Madison Surgery Center Will Offer Second-Trimester Abortions](#)," *Madison.com*. 2009.

⁸ Stolberg, Sheryl Gay and Pear, Robert. "[Obama Signs Health Care Overhaul Bill, With a Flourish](#)," *The New York Times*. 2010.

up to 138% of the federal poverty level (FPL) for participating states.^{9,10} Additionally, the ACA barred insurers from denying coverage to children with pre-existing conditions, placing lifetime limits on coverage. The ACA also required insurers to allow young adults to stay on their parents' plans until age 26.

What happened in 2011?

State Assembly (Republican controlled)

State Senate (Republican controlled)

Governor Scott Walker (Republican)¹¹

An attempted murder occurred at the Madison East Planned Parenthood clinic. Ralph Lang planned to kill a doctor at the Madison East Planned Parenthood location. He was arrested after his gun went off in his hotel room and he subsequently admitted to planning to kill the clinic's doctor.¹² In August 2013, Lang was sentenced to 10 years in prison.¹³ Since 1997 there have been 73 successful attacks on abortion clinics in the U.S., 40 of which were acts of arson.¹⁴ Since 1993 at least 11 people have been killed in attacks on abortion clinics.¹⁵

Wisconsin defunded Planned Parenthood (Act 32).¹⁶ Governor Scott Walker signed a budget bill that barred entities that provide abortion services from receiving any state family planning funds. This Act led to the removal of \$1 million of state funding from Planned Parenthood of Wisconsin's existing nine healthcare centers, though only five of those healthcare centers provided abortion services at that time.^{17,18} This Act has been linked to the subsequent closure of Planned Parenthood centers in 2013 (see below).

A legal organization attempted to enforce a provision of Walker's budget that prohibited UW-Madison from training residents in providing abortion services. The Alliance Defense Fund, an Arizona-based legal group, filed a formal request with the Wisconsin state attorney general on behalf of Pro-Life Wisconsin. They requested enforcement of a provision in Governor Walker's budget barring UW-Madison from training medical residents in providing abortion services. Wisconsin state law prohibits public funds from going toward abortion services, but the Walker provision categorized UW Hospitals and Clinics as a state "agency."²⁰ UW Health already offered residents training in abortion services offsite at a Planned Parenthood clinic and noted that the obstetrics and gynecology program could lose its accreditation if the provision was enforced.²¹ The provision was ultimately not enforced.

⁹ ["Overview of the Affordable Care Act and Medicaid."](#) MACPAC. 2019.

¹⁰ ["A Timeline of the Affordable Care Act,"](#) *The Washington Post*. 2013

¹¹ ["Party Control of Wisconsin State Government."](#) *Ballotpedia*. 2019.

¹² Swenson, Brady. ["Man Arrested, Charged with Intent to Murder Abortion Providers in Wisconsin,"](#) *Revire News*. 2011.

¹³ ["Wis. man sentenced for plotting to kill abortion doctor,"](#) *WMTV 15*. 2013.

¹⁴ Kliff, Sarah. ["Shooting at Abortion Clinics are Rare. Violence Against Abortion Clinics Isn't,"](#) *Vox*. 2015.

¹⁵ Stack, Liam. ["A Brief History on Deadly Attacks on Abortion Providers,"](#) *The New York Times*. 2015.

¹⁶ ["2011-2013 Wisconsin State Budget \(Act 32\),"](#) *Planned Parenthood Advocates of Wisconsin*. 2011.

¹⁷ Kertscher, Tom. ["Politifact: Scott Walker left women with 'nowhere to turn' by defunding Planned Parenthood, Hillary Clinton says,"](#) *Milwaukee Journal Sentinel*. 2015.

¹⁸ Bassett, Laura. ["Wisconsin Set To Defund Planned Parenthood, Slash Family Planning,"](#) *Huffington Post*. 2011.

¹⁹ Erickson, Doug. ["State budget gives abortion foes motivation to push agenda,"](#) *Wisconsin State Journal*. 2011.

²⁰ Davidoff, Judith and Shawn Doherty. ["Abortion Foes Ask Van Hollen to Crack Down on UW Hospital,"](#) *The Capitol Times*. 2011.

²¹ Davidoff, Judith and Shawn Doherty. ["Abortion Foes Ask Van Hollen to Crack Down on UW Hospital,"](#) *The Capitol Times*. 2011.

What happened in 2012?

State Assembly (Republican controlled)
State Senate (Republican controlled)
Governor Scott Walker (Republican)²²

Planned Parenthood of Wisconsin was removed as a contractor of the Wisconsin Well Woman Program.²³ The Well Woman Program, administered by the Wisconsin Department of Health Services, provided no cost preventative screenings for uninsured women between 45 to 64 years of age. These included screenings for breast cancer, cervical cancer, and multiple sclerosis. Planned Parenthood served as the sole contractor providing Well Woman screenings in four Wisconsin counties. Approximately 1,000 women were affected by this change.²⁴

The Appleton Planned Parenthood clinic was bombed.²⁵ A small homemade bomb was placed outside of the Appleton North Health Center. The clinic was closed at the time. No one was injured, but an exam room suffered minimal damages, causing the clinic to close for two days.²⁶ Francis G. Grady, a 52-year-old from Kaukana, was later charged with arson and intentionally damaging a reproductive health facility.²⁷ Since 1977 there have been over 40 bombings targeting abortion clinics and providers in the U.S.²⁸

Act 217 passed into law in April 2012, imposing a range of requirements on women seeking abortions and physicians providing abortions.²⁹ Supporters of the law presented it as necessary to make abortion safer, including barring telemedicine prescribing of medication abortions, which had occurred at Planned Parenthood clinics in Iowa.³⁰ Representatives of Planned Parenthood of Wisconsin noted they had no plans to initiate telemedicine prescription of medication abortions.³¹ Opponents of Act 217 included Planned Parenthood Advocates of Wisconsin, the Wisconsin Medical Society, the Wisconsin Academy of Family Physicians, and the Wisconsin Association of Local Health Departments and Boards. Proponents included Wisconsin Right to Life, Pro-Life Wisconsin, Wisconsin Family Action Inc. and the Wisconsin Catholic Conference.³²

Act 217 put into place the following provisions:

- Physicians must confirm that a woman³³ seeking an abortion has provided consent voluntarily by speaking with her out of the presence of anyone not working with the physician.
- Information must be provided to a woman seeking an abortion orally and in person by the physician performing the abortion or another qualified physician at least 24 hours before the

²² “[Party Control of Wisconsin State Government](#).” *Ballotpedia*. 2019.

²³ Sheppard, Kate. “[Scott Walker’s Next Target: Cancer Screenings for Women](#),” *Mother Jones*. 2011.

²⁴ Sheppard, Kate. “[Scott Walker’s Next Target: Cancer Screenings for Women](#),” *Mother Jones*. 2011.

²⁵ Flock, Elizabeth, “[Planned Parenthood clinic in Wisconsin fire-bombed; officials say damage was minimal](#),” *Washington Post*. 2012.

²⁶ “[Homemade bomb causes fire outside Planned Parenthood clinic](#),” *CNN*. 2012.

²⁷ “[Explosive Device Damages Planned Parenthood Clinic](#),” *WMTV 15*. 2012.

²⁸ Frostenson, Sarah. “[40 Years of Attacks on Abortion Clinics, Mapped](#),” *Vox*. 2015.

²⁹ “[2011 Wisconsin Act 217](#),” *Wisconsin State Legislature*. 2012.

³⁰ Linnane, Rory. “[Wisconsin law increases abortion delays, risk](#),” *WisconsinWatch*. January 27, 2013.

³¹ Linnane, Rory. “[Wisconsin law increases abortion delays, risk](#),” *WisconsinWatch*. January 27, 2013.

³² Linnane, Rory. “[Wisconsin law increases abortion delays, risk](#),” *WisconsinWatch*. January 27, 2013.

³³ Patients are referred to as “women” if defined as such in legislation or statute. However, CORE recognizes that individuals of different genders may become pregnant or seek access to abortion and contraception services.

abortion is performed. Information provided must include the following:

- If the abortion is induced by an abortion-inducing drug, the physician must inform the woman that she must return to the abortion facility for a follow-up visit 12 to 18 days after the use of an abortion-inducing drug to confirm the termination of the pregnancy and evaluate the woman's medical condition.
- The physician must tell the woman that she has a right to refuse to consent to an abortion, that her consent is not voluntary if anyone is coercing her to consent to an abortion against her will, and that it is unlawful for the physician to perform or induce the abortion without her voluntary consent.
- The printed materials given to the women must be provided to her at least 24 hours before the abortion and contain information on services available for victims or individuals at risk of domestic abuse.”³⁴
- For medication abortions, Act 217 put into place the following restrictions:
- The physician must perform a physical exam of the woman before the information that is required to be provided orally and in person at least 24 hours prior to the abortion is given to the woman.
- The physician must be physically present in the room when the drug is given to the woman.
- Provides a penalty that...Any person who violates these provisions is guilty of a Class I felony. The penalties for a Class I felony are a fine not to exceed \$10,000 or imprisonment not to exceed three years and six months, or both.”³⁵

As a result of the passage of Act 217 Planned Parenthood of Wisconsin and Affiliated Medical Services stopped providing medication abortions in April 2012, the same month as the passage of the act. Affiliated Medical Services began offering the service again in May following legal review. Planned Parenthood filed a federal lawsuit against Act 217 citing “unconstitutionally vague” requirements. Planned Parenthood resumed offering medication abortions in June 2012 after a Dane County judge temporarily blocked the provision requiring that a doctor be present when a patient takes both pills included in a medication abortion. The second pill is usually taken at home.^{36, 37} There was an overall (4.7 percent) decline in the number of abortions in 2012, but an 8 percent increase in the number of surgical abortions, according to the Wisconsin Department of Health Services.³⁸ Planned Parenthood attributed the increase in surgical abortions to the passage of Act 217 and the subsequent halting of medication abortions.

What happened in 2013?

State Assembly (Republican controlled)

State Senate (Republican controlled)

Governor Scott Walker (Republican)³⁹

OB/GYN Associates of Green Bay was taken over through a buyout by Bellin Health System and ceased to provide abortion services per the terms of the buyout. Previously, clinic owner Dr. Robert

³⁴ “[2011 Wisconsin Act 2017: Voluntary and Informed Consent to Abortion](#),” *Wisconsin Legislative Council*. 2012.

³⁵ “[2011 Wisconsin Act 2017: Voluntary and Informed Consent to Abortion](#),” *Wisconsin Legislative Council*. 2012.

³⁶ Linnane, Rory. “[Wisconsin law increases abortion delays, risk](#),” *WisconsinWatch*. 2013.

³⁷ Linnane, Rory. “[While Wisconsin abortions declined, more women used surgical method](#),” *WisconsinWatch*. 2013.

³⁸ Linnane, Rory. “[While Wisconsin abortions declined, more women used surgical method](#),” *WisconsinWatch*. 2013.

³⁹ “[Party Control of Wisconsin State Government](#).” *Ballotpedia*. 2019.

DeMott had been the only provider offering abortion services in Green Bay. Bellin's decision not to continue abortion services was not due to changes in demand for abortion, legislation or religious objections. Instead the Bellin CEO was concerned over how Bellin community board members might feel having an abortion provider at one of their ob-gyn practices and decided it would be easier to just remove the services.⁴⁰

Four planned Parenthood health centers closed as a result of the 2011-2013 budget signed by Governor Walker that eliminated state family planning funding for Planned Parenthood health centers.⁴¹ Planned Parenthood health centers in Johnson Creek, Beaver Dam, Shawano, and Chippewa Falls closed.^{42, 43, 44, 45, 46} These clinics served approximately 2,000 patients.⁴⁷

Act 37 passed, implementing a number of "targeted restrictions of abortion providers" (TRAP) laws. Provisions of Act 37 include the following:

- Physicians performing abortions are required to have admitting privileges at a hospital within 30 miles of the location where an abortion is to be performed.^{48, 49}
- An ultrasound must be performed prior to provision of an abortion regardless of medical necessity, unless the woman waives the requirement in writing.⁵⁰
- The physician must display and explain the ultrasound images, including a medical description of the fetus.
- The physician must, if possible, provide the woman with an opportunity to visualize the fetal heartbeat, accompanied by a verbal medical explanation.⁵¹

The admitting privileges requirement of Act 37 was struck down. In March, U.S. District Judge William Conley struck down the provision of Act 37 requiring abortion providers to have admitting privileges at a hospital within 30 miles of the location where an abortion is to be performed.⁵² Planned Parenthood of Wisconsin and Affiliated Medical Services challenged the law, noting it would lead to the closure of Affiliated Medical Services' Milwaukee clinic.⁵³ The two organizations argued that this would result in a caseload that could not be absorbed by other clinics in the state. Judge Conley determined the requirement was put in place primarily to prevent patients from obtaining abortions. Conley struck down the provision as unconstitutional after placing a hold on it in shortly after it passed in July 2013.⁵⁴

⁴⁰ DeMott, Bob. Personal interview with J. Venator. 20 January 2020. Marty, Robin. "[Wisconsin to Lose One of Five Abortion Providers Because of Hospital Buy-Out](#)," *Revire News*. 2013.

⁴¹ Bassett, Laura. "[Planned Parenthood Wisconsin Closes Four Clinics Due To State Funding Cuts](#)," *The Huffington Post*. 2013.

⁴² Boulton, Guy and Jason Stein. "[Planned Parenthood Sure to Remain a Target in Wisconsin](#)," *Milwaukee Journal Sentinel*. 2017.

⁴³ Guzman, Sam. "[Planned Parenthood in Johnson Creek...Closed](#)," *Pro Life Wisconsin Blog*. 2013.

⁴⁴ "[Planned Parenthood to Close Beaver Dam Clinic](#)," *The Associated Press and Citizen Staff*. 2013.

⁴⁵ Kirchen, Rich. "[Planned Parenthood Closing Shawano Clinic](#)," *Milwaukee Business Journal*. 2013.

⁴⁶ You, Jenny. "[Planned Parenthood in Chippewa Falls Officially Closes](#)," *WEAU 13 NEWS*. 2013.

⁴⁷ Bassett, Laura. "[Planned Parenthood Wisconsin Closes Four Clinics Due To State Funding Cuts](#)," *The Huffington Post*. 2013.

⁴⁸ "[2013 Wisconsin Act 37: Abortion Requirements](#)," *Wisconsin Legislative Council*. 2013.

⁴⁹ "[Wisconsin Statute 253.095: Requirements to Perform Abortions](#)," *Wisconsin State Legislature*.

⁵⁰ "[2013 Wisconsin Act 37: Abortion Requirements](#)," *Wisconsin Legislative Council*. 2013.

⁵¹ "[Wisconsin Statute 253.10: Voluntary and Informed Consent for Abortions](#)," *Wisconsin State Legislature*.

⁵² Marley, Patrick. "[Judges: Wisconsin abortion admitting privileges law unconstitutional](#)," *Milwaukee Journal Sentinel*. 2015.

⁵³ Marley, Patrick. "[Judges: Wisconsin abortion admitting privileges law unconstitutional](#)," *Milwaukee Journal Sentinel*. 2015.

⁵⁴ "[2013 Wisconsin Act 37: Abortion Requirements](#)," *Wisconsin Legislative Council*. 2013.

Federal Judge Barbara Crabb rejected an agreement between Planned Parenthood of Wisconsin and the Office of the Wisconsin Attorney General regarding the interpretation of Act 217's provisions on medication abortions. The agreement clarified that a doctor must be present when the pills for a medication abortion are dispensed, but not when ingested.⁵⁵ Judge Crabb rejected the agreement, noting that as the agreement was over a state statute, and not a federal statute, it was outside of her jurisdiction. In addition, the agreement did not address Planned Parenthood's challenge that the law was unconstitutionally vague, leaving doctors potentially open to lawsuits if they misinterpret the law. Judge Crabb rescheduled times for both parties to submit arguments to resolve Planned Parenthood's constitutional challenge.⁵⁶ As Judge Crabb held that the agreement was not enforceable, Planned Parenthood withdrew the federal lawsuit and re-filed in state court.⁵⁷

HB2, the Texas Omnibus Abortion Bill, was signed into law. Texas Governor Rick Perry signed one of the most restrictive abortion bills in the nation into law. The bill banned abortion after 20 weeks of pregnancy. Other provisions include requiring doctors to have admitting privileges at a hospital within 30 miles of the facility where they perform abortions, and requiring facilities where abortions are performed to comply with ambulatory surgical center requirements.⁵⁸ Governor Perry asserted the law would improve patient safety. At the time of enactment, five of the 42 abortion providers in the state met the law's requirements.⁵⁹ HB2 was one of the first of many state-enacted "targeted regulation abortion providers," or TRAP laws, which aim to regulate clinics through both facility and clinician requirements to restrict access to abortion.⁶⁰ States increasingly used TRAP laws following 2010 as a tactic to limit access to abortion.

What happened in 2014?

State Assembly (Republican controlled)

State Senate (Republican controlled)

Governor Scott Walker (Republican)⁶¹

Planned Parenthood in Fond du Lac closed. Planned Parenthood of Wisconsin cited Governor Walker's elimination of family planning funds from the state budget as the reason for the closure.⁶²

A Dane County Circuit Judge ruled that a medication abortion provision of Act 217 mandates that a physician must be present when pills are dispensed, but not when ingested. Planned Parenthood filed a suit in 2012 over concerns that the provision could be construed to require that a physician be present both when pills are dispensed and ingested. Judge Richard Niess ruled that a physician must only be present when pills are dispensed, but not when ingested. Judge Niess noted that the mandate that a physician be present when patients ingest the pills is not medically necessary and could potentially harm patients, as it would require them to return to clinic to take the second dose, which could be challenging

⁵⁵ Mason Pieklo, Jessica. "[Legal Battle Over Medication Abortion in Wisconsin Drags On.](#)" *ReWire.News*. 2014.

⁵⁶ Trelevan, Ed. "[Judge refuses to accept agreement over abortion law.](#)" *Wisconsin State Journal*. 2013.

⁵⁷ Mason Pieklo, Jessica. "[Legal Battle Over Medication Abortion in Wisconsin Drags On.](#)" *ReWire.News*. 2014.

⁵⁸ Fernandez, Manny. "[Abortion Restrictions Become Law in Texas, but Opponents Will Press Fight.](#)" *The New York Times*. 2013.

⁵⁹ Blake, Aaron. "[Perry signs Texas abortion bill into law.](#)" *The Washington Post*. 2013.

⁶⁰ "[Targeted Regulation of Abortion Providers.](#)" *Guttmacher Institute*. 2019

⁶¹ "[Party Control of Wisconsin State Government.](#)" *Ballotpedia*. 2019.

⁶² Vanegeren, Jessica. "[Fifth Planned Parenthood Clinic Closes in Wisconsin as Result of Scott Walker Budget Cuts.](#)" *The Capitol Times*. 2014.

for many patients. Niess also ruled that a “doctor who makes a good-faith effort to determine if a patient voluntarily consented to an abortion could not be made to pay forfeitures if it turned out she had been coerced into getting an abortion.” Judge Niess also lifted the temporary injunction issued in 2013 which blocked the law from being enforced and noted he would not issue a permanent one.^{63, 64}

What happened in 2015?

State Assembly (Republican controlled)

State Senate (Republican controlled)

Governor Scott Walker (Republican)⁶⁵

Governor Walker signed a bill banning abortion 20 weeks post-fertilization, with no exceptions for cases of rape or incest. Governor Scott Walker signed AB 237, criminalizing performing an abortion after 20 weeks and making it a felony punishable by up to three and a half years in prison and fines of up to \$10,000. Patients may only seek an abortion after 20 weeks if their health is seriously at risk or they are at risk of death.⁶⁶ According to the Wisconsin Department of Health Services, in 2013 approximately one percent of abortions were occurring at or after 20 weeks gestation.⁶⁷ As of September 2018, 21 states had enacted 20-week abortion bans (with slight variations).⁶⁸ AB 237 also requires:

- Clinics that perform abortions to report the probable post-fertilization age of the fetus to the Wisconsin Department of Health Services.
- Patients seeking an abortion to be informed of the likely post-fertilization age of the fetus and its odds of survival if delivered.
- Patients seeking abortions be provided with verbal and written notification of the availability of perinatal hospice services.⁶⁹

The Appleton Planned Parenthood stopped providing abortion services.⁷⁰ The clinic stopped providing abortion services on October 14, citing a “temporary gap in medical coverage,” a reference to a shortage in staff coverage.⁷¹ A statement issued by Planned Parenthood of Wisconsin CEO Terri Huyck noted that abortion services would resume within six months. Patients were referred to Planned Parenthood clinics in Madison and Milwaukee as well as Affiliated Medical Services in Milwaukee.⁷² The Appleton clinic did not resume offering abortion services before its closure in 2016. The suspension in abortion services at the Appleton clinic left approximately one abortion clinic per one million women in the state.⁷³

The admitting privileges requirement of Act 37 was deemed unconstitutional. The 7th Circuit Court of Appeals in Chicago ruled that the provision of the 2013 law (Act 37) that required physicians

⁶³ Marley, Patrick. “[Van Hollen Appeals Abortion Law Ruling](#).” *Milwaukee Journal Sentinel*. 2014.

⁶⁴ Mason Pieklo, Jessica. “[Legal Battle Over Medication Abortion in Wisconsin Drags On](#).” *ReWire.News*. 2014.

⁶⁵ “[Party Control of Wisconsin State Government](#).” *Ballotpedia*. 2019.

⁶⁶ Collins, Eliza. “[Walker signs Wisconsin abortion bill](#).” *Politico*. 2015.

⁶⁷ “[Wisconsin Legislators Send 20-Week Abortion Ban Bill to Walker](#).” *Chicago Tribune*. 2015.

⁶⁸ “[20-Week Bans](#).” *ReWire.News*. 2018.

⁶⁹ [2015 Assembly Bill 237](#), *Wisconsin State Legislature*.

⁷⁰ Safran, Ethan. “[Appleton Planned Parenthood Suspends Abortions](#).” *Appleton Post Crescent*. 2015.

⁷¹ Stanley, Jenn. “[There’s Now One Abortion Provider for Every Million Wisconsin Women](#).” *ReWire.News*. 2015.

⁷² Marley, Patrick. “[Planned Parenthood suspends abortions at Appleton clinic](#).” *Milwaukee Journal Sentinel*. 2015.

⁷³ Stanley, Jenn. “[There’s Now One Abortion Provider for Every Million Wisconsin Women](#).” *ReWire.News*. 2015.

performing abortions to have admitting privileges at a hospital within 30 miles was unconstitutional, determining it would provide no medical benefit to women's health.⁷⁴ In the 2-1 ruling, the 7th Circuit Court of Appeals agreed with the 2013 ruling of U.S. District Judge William Conley.⁷⁵

What happened in 2016?

State Assembly (Republican controlled)

State Senate (Republican controlled)

Governor Scott Walker (Republican)⁷⁶

Governor Walker signed [2015 Wisconsin Act 151](#) into law, which requires the state Department of Health Services to apply for federal Title X funding beginning in 2018. (The Title X program is dedicated to expanding access to family planning and preventive health services for low-income people.) The law also requires that the state prioritize distribution of any Title X funds received to public entities such as local public health departments. The state may distribute any leftover funds to private agencies, but not to those that provide, or have an affiliate which provides, abortion services.

Planned Parenthood of Wisconsin closed the Appleton North Health Center.⁷⁷ Planned Parenthood of Wisconsin cited the costs associated with security upgrades as a key factor in its decision to close the center. This closure left three remaining abortion clinics in the state; two in Milwaukee and one in Madison.⁷⁸

The U.S. Supreme Court struck down two provisions of HB2, a 2013 Texas law restricting access to abortion.⁷⁹ One provision required abortion providers to have admitting privileges at a nearby hospital and the other required facilities performing abortions to comply with ambulatory surgical center requirements. The provisions were struck down in a 5-3 vote, with the justices holding that the provisions violated *Planned Parenthood v. Casey*, placing an "undue burden" on individuals seeking abortions. Writing for the majority, Justice Stephen Breyer noted that neither provision provided "medical benefits sufficient to justify the burdens upon access that each imposes."⁸⁰ This decision was relevant for other states as it established a precedent for future challenges to state-level TRAP laws.

What happened in 2017?

State Assembly (Republican controlled)

State Senate (Republican controlled)

Governor Scott Walker (Republican)⁸¹

⁷⁴ Marley, Patrick. "[Judges: Wisconsin abortion admitting privileges law unconstitutional](#)," *Milwaukee Journal Sentinel*. 2015.

⁷⁵ Marley, Patrick. "[Judges: Wisconsin Abortion Admitting Privileges Law Unconstitutional](#)," *Milwaukee Journal Sentinel*. 2015.

⁷⁶ "[Party Control of Wisconsin State Government](#)," *Ballotpedia*. 2019.

⁷⁷ Richmond, Todd. "[Planned Parenthood In Appleton Closing For Good](#)," *Wisconsin State Journal*. Madison, WI. 2016.

⁷⁸ Mills, Shamane. "[Planned Parenthood Of Wisconsin Closes Fox Valley Abortion Clinic](#)," *Wisconsin Public Radio*. 2016.

⁷⁹ Liptak, Adam. "[Supreme Court Strikes Down Texas Abortion Restrictions](#)," *The New York Times*. 2016

⁸⁰ Liptak, Adam. "[Supreme Court Strikes Down Texas Abortion Restrictions](#)," *The New York Times*. 2016

⁸¹ "[Party Control of Wisconsin State Government](#)," *Ballotpedia*. 2019.

Planned Parenthood of WI announced the opening of new Milwaukee health center⁸² at 435 S. Water Street. Following the opening of this clinic, Planned Parenthood stopped seeing patients at its Third Ward location in Milwaukee.⁸³ The Third Ward location had offered abortion services, and Planned Parenthood began offering abortion services at the Water Street location as well. Following this health center opening, the Water Street and Madison health centers were the only two Planned Parenthood clinics offering abortion services in the state.⁸⁴

Rep. Andre Jacque (R-De Pere) introduced a bill that would block University of Wisconsin OB-GYN residents from learning to perform abortions.⁸⁵ Abortions cannot legally be performed at University facilities, so UW-Madison residents can learn to provide abortion services at Planned Parenthood's Madison location. However, Jacque argued that the training taking place at Planned Parenthood was unnecessary and problematic as it uses state taxpayer dollars to pay faculty who facilitate the training.⁸⁶ This change could have led to a loss of accreditation for the program, as OB-GYN residency programs are required to provide training in abortion services.⁸⁷ While the bill failed to pass, its consideration involved expert testimony and significant effort by members of the UW-Madison community, including the Dean of the School of Medicine and Public Health (Dr. Robert Golden) and the Chair of the Department of Obstetrics and Gynecology (Dr. Laurel Rice). Moreover, members of the pro-choice community suspect that pro-life advocates in other states may attempt similar bills as a way of restricting the abortion provider pipeline.

What happened in 2018?

State Assembly (Republican controlled)

State Senate (Republican controlled)

Governor Scott Walker (Republican)⁸⁸

Planned Parenthood of Wisconsin opened the Sheboygan Health Center in May and began providing medication abortions at that location. The Sheboygan Health Center had closed in August 2017 after its lease was not renewed and relocated to a temporary facility while the new center was under construction. The construction of the new health center was fully funded by donors.⁸⁹

Governor Scott Walker signed a bill into law banning abortion coverage for government workers. AB 218, sponsored by Rep. Andre Jacque (R-De Pere), prohibits the Group Insurance Board (GIB) from “contracting for or providing abortion services, except in the case of a medical emergency, a serious health risk to the pregnant patient, or in cases of sexual assault or incest.” 21 states have laws that prohibit or restrict insurance plans for public workers from including abortion services.⁹⁰ Some opponents of the law noted its redundant nature, as existing laws bar state health insurance plans from covering abortion services

⁸² [Planned Parenthood of Wisconsin Announces Opening of New Health Center in Milwaukee](#). *Planned Parenthood of Wisconsin, Inc.* October 6, 2017.

⁸³ Spicuzza, Mary. [“Planned Parenthood opening a new abortion clinic in Milwaukee,”](#) *Milwaukee Journal Sentinel*. October 6, 2017.

⁸⁴ Spicuzza, Mary. [“Planned Parenthood opening a new abortion clinic in Milwaukee,”](#) *Milwaukee Journal Sentinel*. October 6, 2017.

⁸⁵ Mills, Shamane. [“Medical Groups: Wisconsin Abortion Bill Would Jeopardize Doctor Training,”](#) *Wisconsin Public Radio*. July 18, 2017.

⁸⁶ Mills, Shamane. [“Medical Groups: Wisconsin Abortion Bill Would Jeopardize Doctor Training,”](#) *Wisconsin Public Radio*. July 18, 2017.

⁸⁷ Mills, Shamane. [“Medical Groups: Wisconsin Abortion Bill Would Jeopardize Doctor Training,”](#) *Wisconsin Public Radio*. July 18, 2017.

⁸⁸ [“Party Control of Wisconsin State Government.”](#) *Ballotpedia*. 2019.

⁸⁹ [“Planned Parenthood Adds Abortion Services in Sheboygan,”](#) *Star Tribune*. 2018.

⁹⁰ Wilson, Teddy. [“Scott Walker Just Made Wisconsin the Latest State to Ban Abortion Coverage for Government Workers,”](#) *ReWire News*. April 5, 2018

unless “medically necessary.”⁹¹

In February 2018, the Department of Health and Human Services released a Funding Opportunity Announcement (FOA) describing changes to Title X to restrict funding for contraceptives and expand funding for abstinence-only and fertility awareness methods. The FOA modifies the definition of “family planning” to include abstinence-only and fertility awareness methods, while excluding mention of contraceptive methods.⁹² Following the release of the FOA, Planned Parenthood of Wisconsin, with affiliates in Ohio and Utah, filed a lawsuit against the Trump administration asking the court to block the FOA, alleging the FOA will restrict Planned Parenthood’s ability to provide care, as it would severely restrict family planning services available to Wisconsin residents. In July, the U.S. District Court for the District of Columbia ruled in favor of the Trump Administration, a ruling the plaintiffs subsequently appealed.⁹³ The ACLU, along with the National Family Planning and Reproductive Health Association filed a separate lawsuit alleging the FOA does not align with the congressional intent of Title X.⁹⁴

Following the requirements of [2015 Wisconsin Act 151](#), the Wisconsin **Department of Health Services submitted a grant proposal to the federal Title X program.** The US Department of Health and Human Services awarded Title X contracts to both Planned Parenthood and Department of Health Services to provide services between September 1, 2018 and March 31, 2019.⁹⁵ For nearly 50 years prior, Planned Parenthood of Wisconsin was the sole Title X grantee in the state.

What happened in 2019?

State Assembly (Republican controlled)

State Senate (Republican controlled) ⁹⁶

Governor Tony Evers (Democrat) ⁹⁷

Tony Evers was elected Governor, the first Democrat elected to the position since 2010. Evers, who had served as state schools superintendent since 2009, was elected as the 46th governor of Wisconsin. Republicans maintained control of the State Assembly and Senate.⁹⁸

The Trump Administration released a federal rule barring organizations that refer for abortion services from receiving Title X funds.⁹⁹ Under the rule, clinics will no longer be required to provide patients with information about all reproductive options, potentially expanding eligibility to religiously

⁹¹ Wilson, Teddy. “[Scott Walker Just Made Wisconsin the Latest State to Ban Abortion Coverage for Government Workers](#),” ReWire News. April 5, 2018

⁹² Mills, Shamane. “[Planned Parenthood Of Wisconsin Sues Trump Administration Over Title X Changes](#).” *Wisconsin Public Radio*. 2018.

⁹³ Sobel, Laurie; Rosenzweig, Caroline; Salganicoff, Alina; and Long, Michelle. “[Proposed Changes to Title X: Implications for Women and Family Planning Providers](#),” *Kaiser Family Foundation*. 2018.

⁹⁴ Mills, Shamane. “[Planned Parenthood Of Wisconsin Sues Trump Administration Over Title X Changes](#).” *Wisconsin Public Radio*. 2018.

⁹⁵ [Complaint, State of Oregon v. Alex M. Azar](#) (No. 6:19-cv-317). United States District Court of Oregon; 2019 March. [Electronic] p.77.

⁹⁶ “[Party Control of Wisconsin State Government](#).” *Ballotpedia*. 2019.

⁹⁷ “[Party Control of Wisconsin State Government](#).” *Ballotpedia*. 2019.

⁹⁸ Marley, Patrick and Beck, Molly. “[Democrat Tony Evers takes over as governor as Republicans hang on to big majorities](#),” *Milwaukee Journal Sentinel*. 2019.

⁹⁹ Belluck, Pam. “[Trump Administration Blocks Funds for Planned Parenthood and Others Over Abortion Referrals](#),” *The New York Times*. 2019.

affiliated organizations. Clinics may continue to discuss abortion with patients, but will be disallowed from referring patients to abortion providers. According to the rule, organizations that perform abortions and receive Title X funds may continue to provide abortions but will be required to perform them in a separate facility and may not refer patients for abortions. The decision was applauded by anti-abortion groups and heavily criticized by pro-choice groups, citing the potential for widespread negative impacts on women's health. Title X annually provides \$286 million in funding for family planning and screening services and serves approximately 4 million patients in over 4,000 clinics, 40% of which are Planned Parenthood clinics. This rule is not the first of its kind - in 1988 the Reagan Administration published a rule barring clinics from referring for counseling on abortion services. This rule was ultimately challenged up to the Supreme Court and was subsequently eliminated when President Clinton took office. As of March, Planned Parenthood and the American Medical Association had filed lawsuits challenging the rule.¹⁰⁰ Wisconsin joined a group of 19 states in another lawsuit challenging the rule.¹⁰¹ In April, the Wisconsin Department of Health Services was named as the sole grantee for Title X funds.¹⁰² State law ([2015 Wisconsin Act 151](#)) prevents the Department of Health Services from distributing funds to an organization that provides abortion services.

Planned Parenthood of Wisconsin filed a federal lawsuit challenging state regulations that prevent nurse practitioners from providing abortions and restrict access to medication abortion.¹⁰³ Planned Parenthood holds that the requirements are intended to limit access to abortion services and do not serve to benefit patient health. Under current state law, only physicians may perform abortions, although PPWI asserts that advanced practice nurses are qualified to perform the procedure.

Governor Evers vetoed four bills aimed at restricting access to abortion services.¹⁰⁴ Republican state legislators sent four bills aimed at restricting access to abortion services to the Governor in June. One of the bills, deemed a "born alive" bill, would have required physicians to care for fetuses born alive in the extremely rare case of a failed abortion. Another bill would have criminalized abortion on the basis of race or sex. One bill would have required physicians to tell women seeking medication abortions that the procedure could be reversed following taking the first of two doses of medication. The final bill would have eliminated Medicaid funding for Planned Parenthood.¹⁰⁵

¹⁰⁰ North, Anna. "[New Trump administration rule will strip funding from Planned Parenthood](#)," *Vox*. 2019.

¹⁰¹ Opoien, Jessie. "[Wisconsin joins multi-state lawsuit challenging Trump administration abortion 'gag rule'](#)," *The Capital Times*. 2019.

¹⁰² "[HHS Title X Grant Awards by State](#)," *U.S. Department of Health and Human Services*. 2019.

¹⁰³ Opoien, Jessie. "[Planned Parenthood of Wisconsin seeks to strike down some abortion regulations](#)," *The Capital Times*. 2019.

¹⁰⁴ "[Gov. Tony Evers Vetoes 4 Abortion Bills](#)," *WPR*. 2019.

¹⁰⁵ "[Gov. Tony Evers Vetoes 4 Abortion Bills](#)," *WPR*. 2019.