

Idaho Abortion Litigation Activity: Update

Health Equity

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Idaho continues to be a focal point for ongoing legal battles over state laws that totally ban or otherwise severely restrict access to abortion services from health care providers. As expected, in early March the Trump Administration dismissed a pending [DOJ federal lawsuit](#) brought against the State of Idaho under the Biden Administration, which sought a ruling that Idaho's ban on abortions conflicted with the hospital's Emergency Medical Treatment & Labor Act (EMTALA) emergency care obligations. [Idaho's AG announced on March 5](#) that the DOJ was dismissing the lawsuit because EMTALA does not require abortions that otherwise would arguably conflict with Idaho's Defense of Life Act. Rather, the Idaho statute permits an abortion based upon the medical judgement of a physician who, in good faith, believes the mother's life is threatened. In a separate lawsuit filed by St. Luke's Health System – Idaho's largest hospital network – against the State, a federal judge issued an injunction on March 20. The [injunction](#) temporarily shields St. Luke's and its providers from criminal prosecution under Idaho's abortion law for performing abortions in emergencies, which will remain in effect while the case continues to be litigated.