

Recent Litigation Challenges Abortion Bans Affecting Access to Care in Oklahoma, Idaho, and Texas

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A [lawsuit](#) filed in Oklahoma on September 16 challenging the state's stringent 22-week and total abortion bans is the latest in a series of similar challenges nationwide. Brought forward by affected patients, medical professionals, and advocacy groups, the complaint argues that forcing individuals to carry unviable pregnancies involving fatal fetal diagnoses violates fundamental state constitutional rights to life, liberty, equal protection, and substantive due process. Plaintiffs seek declaratory and injunctive relief barring enforcement of the restrictions where fetuses will not survive.

In [Seyb v. Members of the Idaho Board of Medicine](#), maternal-fetal medicine specialist, Dr. Stacy Seyb, filed a federal lawsuit challenging Idaho's near-total abortion bans under the U.S. Constitution's Due Process and Equal Protection Clauses. In August, the district court [ruled](#) that Idaho's abortion ban is unconstitutional to the extent it prevents Dr. Seyb from providing care necessary to protect a patient's health or prevent suicide, but declined to block enforcement in cases involving life-limiting fetal conditions. The ruling applies only to Dr. Seyb. The case is now before the Ninth Circuit, which issued a [temporary administrative stay](#) while the appeal proceeds.

Separately, last month, the family of a San Antonio woman who died from preeclampsia in December 2024 filed suit alleging that Texas's strict abortion ban and the state officials who enforce it contributed to her death. The [petition](#) alleges that medical professionals delayed or denied necessary care out of fear of prosecution under Texas's near-total abortion ban.