

State Law Overview: Arkansas

Mandatory Waiting Period

Arkansas has a mandatory 48 hour waiting period before an abortion can be obtained. ¹

Mandatory Ultrasound

Arkansas law requires that if an ultrasound is performed before an abortion the person seeking the abortion must be offered the opportunity to see the image. ²

Biased Counseling/Informed Consent

Arkansas law requires that persons seeking abortion must have **in person** counseling at the clinic at least 48 hours before the abortion can be performed. This counseling includes scientifically unsupported claims. ³

Gestational Limits

Arkansas restricts abortions that can be performed 20 weeks after fertilization (22 weeks LMP). There are exceptions if the pregnancy endangers the life or health of the mother and if the pregnancy is the result of rape or incest. ⁴

Targeted Regulation of Abortion Providers (TRAP)

Arkansas law requires that all facilities that perform medical and/or aspiration abortions conform to the standards of ambulatory surgery centers. Physicians performing abortions are also required to have admitting privileges at a hospital within 30 miles of the abortion clinic. ⁵

Restrictions on Minor's Obtaining Abortion Care

Arkansas law requires that a minor receive consent from a parent or guardian before receiving an abortion. This consent form must be notarized. Arkansas has a judicial bypass option for minors who wish to forego parental consent. There are exceptions to the requirement if there is a medical emergency or if the minor's pregnancy is the result of rape or incest or if there is documented abuse and neglect in the home. ⁶

¹ Guttmacher State Policies in Brief, Counseling and Waiting Periods for Abortion, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_MWPA.pdf

² Guttmacher State Policies in Brief, Requirements for Ultrasounds, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_RFU.pdf

³ Guttmacher State Policies in Brief, Counseling and Waiting Periods for Abortion, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_MWPA.pdf

⁴ Guttmacher State Policies in Brief, State Policies on Later Abortion, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_PLTA.pdf

⁵ Guttmacher State Policies in Brief, Targeted Regulation for Abortion Providers, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_TRAP.pdf

⁶ Guttmacher State Policies in Brief, Parental Involvement in Minors' Abortions, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_PIMA.pdf

Restriction of Private and Public Insurance Coverage of Abortion

Arkansas restricts Medicaid from reimbursing for abortion except in the case of rape, incest, or when the life of the mother is endangered by the pregnancy. The same restrictions apply to insurance coverage purchased through the health exchange and public insurance that state employees receive.⁷

Counseling Ban/Gag Rule

Arkansas restricts state and federally funded organizations or individuals from discussing or referring for abortion.⁸

Crisis Pregnancy Centers

Arkansas has no state laws regulating crisis pregnancy centers and has a license plate program that funds them.^{9 10}

Refusal to Provide Medical Services

Arkansas law allows individual providers and institutions to refuse to provide abortions.¹¹

⁷ Guttmacher State Policies in Brief, Restricting Insurance Coverage of Abortion, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_RICA.pdf

⁸ NARAL, *Who Decides: the Status of Women's Reproductive Rights in the United States*, 2016, *available at* <http://www.prochoiceamerica.org/assets/download-files/2016-wd-report.pdf>

⁹ Guttmacher State Policies in Brief, 'Choose Life' License Plates, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_CLLP.pdf

¹⁰ NARAL, *Who Decides: the Status of Women's Reproductive Rights in the United States*, 2016, *available at* <http://www.prochoiceamerica.org/assets/download-files/2016-wd-report.pdf>

¹¹ Guttmacher State Policies in Brief, Refusing to Provide Health Services, Jan. 1, 2016, *available at* http://www.guttmacher.org/statecenter/spibs/spib_RPHS.pdf