



AMA v. Stenehjem (D.N.D.)

Topics Covered: Freedom of Speech, Reproductive Health & Abortion

Issue

The issue in this case is whether the North Dakota Informed Consent Law violates physicians' Freedom of Speech.

AMA Interest

The AMA champions free and open communication between physicians and their patients, and the preservation of the physician-patient relationship.

Case Summary

The North Dakota Informed Consent Law requires that, before a physician can perform an abortion, the physician must inform the patient of the following: (a) "The abortion will terminate the life of a whole, separate, unique, living human being," and (b) "It may be possible to reverse the effects of an abortion-inducing drug if [the patient] changes her mind."

AMA Involvement

The AMA, along with an abortion clinic and a physician who regularly performs abortions in North Dakota, sued to have this law declared invalid as a violation of the First Amendment. Among other arguments, the plaintiffs asserted that this compelled physician speech would violate the *Code of Medical Ethics*. The case is in discovery.

Complaint