Abortion Laws in Maryland

With laws changing rapidly in nearby states, it can be difficult to keep up with the laws surrounding abortion here in Maryland. This fact sheet clarifies what people can expect when they need abortion care.

Codification
Maryland codified the *Roe v. Wade* ruling in 1992 by ballot referendum, meaning that if the Supreme Court later overturned the decision, the rights to provide and receive abortion care would remain legal in Maryland. “[T]he state may not interfere with the decision of a woman to terminate a pregnancy: (1) Before the fetus is viable; or (2) At any time during the woman’s pregnancy, if [t]he termination procedure is necessary to preserve the life or health of the woman; or . . . [t]he fetus is affected by a genetic defect or serious deformity or abnormality.” Md. Code Ann., Health-Gen. § 20-209 (Enacted 1991).

Who can perform abortions?
Currently, abortion care can only be provided by certified physicians.

Coverage
Abortion care can be paid for through one of three ways: private insurance, state Medicaid, or out-of-pocket. Many private insurance companies cover abortion care, and clinics will often include information about the insurance they accept on their website, but if you are unsure, you should call the clinic or your insurance company.

The 1976 Hyde Amendment, still in effect today, prohibits federal funding from being allocated toward abortion care1. However, states can “opt-in” and direct state Medicaid funding to cover abortion care. Because Maryland is one of those states, if you are a Maryland Medicaid recipient, you can use that to cover your procedure, but only for medical reasons, such as fetal abnormality, risk to the health or life of the pregnant individual, or if the pregnancy is a result of rape, Medicaid will cover the procedure for individuals up to 264% of the federal poverty level.2 For more information about Medicaid coverage in Maryland, visit our dedicated website: [http://mdmedicaidabortion.org/](http://mdmedicaidabortion.org/)

If you are paying out-of-pocket, there are resources available to help you pay the full cost. Volunteer-run abortion funds are donations-based organizations that distribute financial grant to individuals struggling to afford the full cost of abortion care. Visit [www.abortionfunds.org](http://www.abortionfunds.org) or simply search “abortion funds near me” in your browser.3

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2 “Eligibility.” *Maryland Medicaid and Abortion.* http://mdmedicaidabortion.org/