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Illinois Reaffirms Policy to Preserve Access to Life-saving Emergency Room Treatment

HHS Rescinds Federal Guidance Put in Place Following the Dobbs Decision; Access to Life-Saving Care Enshrined in Illinois Law

SPRINGFIELD – In response to action by the [Trump administration to restrict access to life-saving care](#) in hospital emergency rooms, the State of Illinois is reaffirming that pregnant women in the state have the right to the full range of life-saving care, including abortions, when they are in Illinois emergency rooms. The Trump Administration's recent action rescinded guidance that required hospitals to provide access to abortions if it meant saving the life of the mother.

"I have made protecting and expanding reproductive rights a top priority and in Illinois, providing the full range of reproductive care for anyone facing life-threatening emergencies is enshrined in state law," **said Governor JB Pritzker**. "This cruel action by the Trump administration creates confusion for healthcare providers and is one more example of how the Dobbs decision has diminished maternal health and healthcare for all woman across the country."

An [amendment to the Illinois Hospital Emergency Services Act](#) requires that pregnant women in Illinois hospital emergency departments can access life-saving, medically necessary reproductive health care, including abortions.

This comes as the Trump administration's [Department of Health and Human Services rescinded guidance](#) issued by the Biden administration on life-saving treatment. That guidance followed the U.S. Supreme Court's *Dobbs* decision overturning the constitutional right to abortion. The Biden administration [issued guidance in July 2022](#) to healthcare providers clarifying that the federal Emergency Medical Treatment and Active Labor Act (EMTALA) required that pregnant patients facing medical emergencies have access to all available life-saving care.

The law amending the Illinois Hospital Emergency Services Act, Public Act 103-0784, was passed in 2024 and makes clear that life-saving treatment includes pregnancy termination. Illinois hospitals are expressly required to follow this state law and can be penalized for noncompliance. The rules to implement the law were recently approved by the General Assembly's Joint Committee on Administrative Rules (JCAR).

"IDPH is working to ensure that all Illinois hospitals are informed and aware of their obligation under the Illinois Hospital Emergency Services Act," **said IDPH Director Dr. Sameer Vohra**. "Hospitals and health care providers have the responsibility to provide necessary healthcare to protect the life and health of everyone in a medical emergency, including abortions when warranted."

On June 2, the American College of Obstetricians and Gynecologists (ACOG) [released a new practice advisory](#) on the care physicians should provide to patients whose water breaks prematurely. The advisory stresses that there are instances in which timely access to abortion can save the life of the mother.

Enforcement of Illinois' Hospital Emergency Services Act is generally complaint-driven. Members of the public can [File a Health Care Complaint](#) against any hospital that refuses to provide appropriate care.

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