

# Louisiana v. FDA

Leader Messaging Guide

Based on the Pro-Life Leaders Briefing | February 23, 2026

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## The Core Message

Tomorrow's hearing in Louisiana v. FDA is the most significant legal challenge to abortion drugs since Dobbs. It centers on three interconnected themes that every pro-life leader should be prepared to communicate clearly:

### 1. These Drugs Harm Women

The abortion pill causes serious, documented harm. Independent insurance claims data reveals complications far more frequent than the FDA acknowledges. The FDA's own adverse event reporting system is broken — the agency stopped requiring reports, then claimed the drug was safe based on the resulting silence.

### 2. Mail-Order Abortion Removes Every Safeguard

Mailing these pills with no in-person doctor supervision eliminates every basic safety check: no physical exam, no ultrasound to rule out ectopic pregnancy or confirm gestational age, no physician present if the woman hemorrhages. This system also enables coerced abortions and leaves women completely alone during a dangerous medical event.

### 3. This Is a Constitutional Crisis for Pro-Life States

States that passed laws to protect life after Dobbs are watching those laws be systematically undermined. Other states have enacted "shield laws" that protect out-of-state abortionists who mail pills into pro-life states. The Biden FDA admitted its 2023 actions were unlawful. The Trump DOJ has now conceded this in federal court. Yet approximately 1,000 unlawful chemical abortions continue to occur each month in Louisiana alone.

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## Talking Points for Your Stakeholders

### "Safer Than Tylenol" Is a Lie

Two physicians on the briefing — including U.S. Senator Bill Cassidy — confirmed that women are being systematically deceived about these drugs. The real data tells a very different story than what the FDA reports. Nearly 1 in 9 women experiences a serious adverse event. When you isolate the mail-order population, that rate approaches 1 in 4.

### Without an In-Person Exam, Coercion Goes Undetected

The briefing surfaced multiple cases: a mother who coerced her daughter using pills prescribed by an out-of-state doctor; a husband who threatened custody of his wife's children unless she took the pills, then supervised her taking them; a man in Texas who secretly drugged a woman's food; and a named plaintiff in the case — Rosalie Marcusich — whose boyfriend ordered pills from a California doctor without any verification that a woman was even involved. An ER nurse on the call confirmed: she is trained to separate patients from controlling partners. A chat app cannot do that.

### Mail-Order Abortion Bypasses Every Safety Check

Without an ultrasound, there is no way to confirm gestational age or rule out ectopic pregnancy. Up to 50% of women are wrong about how far along they are based on their last period alone. The risk escalates dramatically: at 10 weeks, roughly 1 in 10 women needs emergency surgery; at just 13 weeks, that jumps to 1 in 3. And ectopic prescriptions rose 52% after the in-person requirement was removed. These drugs have four times the complication rate of surgical abortion.

### Dobbs Has Been Effectively Nullified

As ADF Senior Counsel Erik Baptist stated directly: "The Dobbs decision has been effectively nullified by the mail-order regime the Biden FDA initiated." Louisiana's pro-life laws are being circumvented by pills mailed from states with shield laws that protect out-of-state abortionists from accountability. The Biden FDA and Trump DOJ have both conceded in formal court filings that the 2023 REMS changes were unlawful — yet the drugs continue to flow.

### This Should Unify People Across the Political Spectrum

As Dr. Christina Francis said: "Regardless of where someone stands on abortion, we should all be opposed to a system that removes every basic safeguard. This should unify us in a politically divided world." The question of whether powerful drugs should be mailed without a doctor visit, an exam, or any screening for coercion is not partisan. It is a patient safety issue.

### The Public Is with Us — Lead with Confidence

SBA Pro-Life America's new polling confirms: 80% of Republican primary voters want in-person visits required for abortion drugs. 72% oppose approving generic mifepristone before completing safety reviews. 71% want presidential candidates who speak out on this issue. And about a third of Republican voters say they will reduce both their enthusiasm and their willingness

to volunteer if the party abandons pro-life policies — a direct threat to midterm campaign infrastructure. The pro-life position IS the mainstream position.

### Language Guidance

Dr. Francis and Lyndsey Sikes both emphasized: real telemedicine involves a physician assessing a patient. What’s happening here is women ordering drugs online with no doctor interaction. As Lyndsey put it: “This is not telehealth. This is drug dealing.”

USE THIS	AVOID THIS
Mail-order abortion drugs	Telemedicine abortion
Chemical abortion drugs	Medication abortion
Online drug distribution	Telehealth abortion
No-doctor, no-exam abortion by mail	Remote prescribing

## Key Data to Know and Share

<b>~1 in 9</b> women experience a serious adverse event (10.93%)	<b>~1 in 4</b> for mail-order patients (23.65%)	<b>1 in 3</b> need emergency surgery at 13 weeks	<b>52%</b> rise in ectopic prescriptions after in-person removal
<b>4x</b> complication rate vs. surgical abortion	<b>71%</b> of Indiana complications from chemical abortion	<b>~1,000</b> unlawful abortions per month in Louisiana alone	<b>50%</b> of women misjudge gestational age

Source: EPPC insurance claims analysis (May 2025 + new unreleased follow-up); AAPLOG clinical data; ADF legal filings; SBA Pro-Life America polling (Feb 2026)

### Voices from the Briefing

***“Restoring in-person safeguards is not about politics. It is about protecting women like me – women who are scared, pressured, and medically vulnerable.”***

– Jessica Williams, RN – ER Nurse, Coercion Survivor, Mother of Kaylie Grace

***“This is not medical care. It is medical malpractice being endorsed by some medical groups.”***

– Dr. Christina Francis – CEO, AAPLOG

***“They arrive in unmarked little baggies – they look like street drugs. This is not telehealth. This is drug dealing.”***

– Lyndsey Sikes – Executive Director, Life Choices Pregnancy Resource Center

***“The Dobbs decision has been effectively nullified by the mail-order regime the Biden FDA initiated.”***

– Erik Baptist – Senior Counsel, Alliance Defending Freedom

***“We have to be fiercely defensive of American women.”***

– Katie Daniel – SBA Pro-Life America

## Three Actions for Leaders

### 1. Brief Your Networks

Share this messaging guide with your boards, donors, staff, and community leaders. Use the data and talking points above to equip them to speak with clarity and confidence.

### 2. Pray

The preliminary injunction hearing is February 24, 2026, before Judge David Joseph in the Western District of Louisiana. Pray for the legal team, for the court, and for the women and children this case will impact.

### 3. Stay Engaged

This fight is far from over. Support your local pregnancy resource centers — they are the first responders. Fund mobile clinics in rural areas. And continue to advocate for the restoration of in-person dispensing requirements at both the state and federal level.