

Understanding Idaho's 2026 Reproductive Freedom and Privacy Act: This allows for late-term abortion and overrides any existing pro-life protections. By Right to Life of Idaho RTLI.org

This top section quotes directly from the RFPA (**bold** explained below; signatures gathered until April 30, 2026)

1. "This act establishes a right to make private reproductive health care decisions, including abortion up to **fetal viability** and in medical emergencies."
2. a. Every **person** has the **right to reproductive freedom and privacy**, which is the right to make personal decisions about reproductive health care that directly impact the person's own body, **including but not limited to** the right to make decisions about: i. abortion; ii childbirth care; iii contraception; iv fertility treatment; v miscarriage care; vi prenatal, pregnancy, and postpartum care.
5. Definitions. a. "Abortion" means a medical **treatment** that is intended to terminate a pregnancy.
 - d. "**Fetal Viability**" means the point in a pregnancy when, on the basis of a physician's good faith medical judgement, based on the facts known at the time, and determined on a case-by-case basis, the fetus has a significant likelihood of sustained survival outside of the uterus without extraordinary medical measures.
 - e. "Fertility Treatment" means the treatment of infertility and related conditions, including but not limited to assisted reproductive technology and in vitro fertilization.
 - f. "**Health care provider**" means a licensed person or an entity that provides health care or medical treatment.
 - k. "Reproductive health care" means health care and other medical **services related to the reproductive processes, functions, and systems**. It includes, but is not limited to abortion, contraception, childbirth, fertility treatment, miscarriage care, and prenatal, pregnancy, and postpartum care.

Five Ways the RFPA is more extreme than pre-Roe v Wade laws:

1. **Fetal Viability** is generally accepted as the point in which a baby can survive outside the womb with medical support or ~23-24 weeks gestation. This Act would make 2nd Trimester abortions legal on face value, but could extend into the third trimester by redefining fetal viability to "significant likelihood" of survival without "extraordinary measures" two terms without definitions.
2. **Person**, in choosing the language "person" and not adult, the RFPA would undo or "control over" all previous established impediments to abortion access, including parental consent.
3. "**A right to reproductive freedom and privacy ...including, but not limited to**" combined with "**services related to the reproductive processes, functions, and systems**" means this would actually open the door for a transgender agenda of hormones and surgeries; without parental consent and as a "right" possible insurance mandates and premium hikes could follow.
4. **Treatment**- Abortion doesn't treat pregnancy. It intentionally terminates not just a pregnancy, but a person, the life of a living and growing human being. Pregnancy has a natural end called birth.
5. **Healthcare Provider**- this term was used to include non-doctor-practitioners. Pre-Roe v Wade, abortions were only allowed to be performed by a licensed medical doctor.

The United States is one of only seven countries that allows elective abortion past 20 weeks, because 2nd & 3rd trimester abortions are particularly barbaric. Idaho law allows exceptions for life of the mother at any stage, rape, & incest. Idaho abortion laws do NOT affect miscarriage care or ectopic pregnancy care, as non-viable pregnancies do NOT fall under (elective) abortion prohibitions.