

117TH CONGRESS  
2D SESSION

# H. R. 8976

To preempt State restrictions on dispensing mifepristone or misoprostol, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2022

Mr. RYAN of New York introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To preempt State restrictions on dispensing mifepristone or misoprostol, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Reproduc-

5 tive Freedom Act”.

6 **SEC. 2. PREEMPTION OF STATE RESTRICTIONS ON DIS-**  
7 **PENSING MIFEPRISTONE AND MISOPROSTOL.**

8 No State may establish, implement, or enforce—

1           (1) any prohibition or restriction on shipping or  
2           sending mifepristone or misoprostol across State  
3           lines;

4           (2) any requirement that mifepristone or  
5           misoprostol be dispensed by a health care practi-  
6           tioner in person; or

7           (3) any prohibition or restriction on prescribing  
8           or dispensing mifepristone or misoprostol by means  
9           of telehealth.

10 **SEC. 3. REPORT.**

11           Not later than 30 days after the date of enactment  
12           of this Act, the Secretary of Health and Human Services,  
13           acting through the Commissioner of Food and Drugs,  
14           shall submit a report to the Congress on ways to expand  
15           access to abortion medication.

16 **SEC. 4. DEFINITIONS.**

17           In this Act:

18           (1) The term “mifepristone” means  
19           mifepristone that is—

20                   (A) approved under subsection (e) or (j) of  
21                   section 505 of the Federal Food, Drug, and  
22                   Cosmetic Act (21 U.S.C. 355);

23                   (B) indicated for medical abortion; and

24                   (C) subject to a risk evaluation and mitiga-  
25                   tion strategy under section 505–1 of the Fed-

1           eral Food, Drug, and Cosmetic Act (21 U.S.C.  
2           355–1).

3           (2) The term “misoprostol” means misoprostol  
4           that is—

5                   (A) approved under subsection (e) or (j) of  
6                   section 505 of the Federal Food, Drug, and  
7                   Cosmetic Act (21 U.S.C. 355);

8                   (B) indicated for medical abortion; and

9                   (C) subject to a risk evaluation and mitiga-  
10                  tion strategy under section 505–1 of the Fed-  
11                  eral Food, Drug, and Cosmetic Act (21 U.S.C.  
12                  355–1).

○