



Women's Law Project

Statement on the *Moyle v. United States*, the EMTALA Ruling

The Court's delay extends post-Dobbs suffering. We need and deserve clarity on pregnant peoples' right to emergency medical care.

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PENNSYLVANIA // June 27, 2024: This morning, the U.S. Supreme Court dismissed *Moyle v. United States*, the EMTALA case, as “improvidently granted,” a rarely used procedural mechanism that means the Court asserted it should not have accepted the case.

It is not a ruling on the merits. The case now returns to lower courts.

“While we’re relieved the anti-abortion movement failed in their goal of enabling states to directly criminalize emergency care for pregnant people required by federal law, we need an answer,” says **WLP Co-Executive Director and Legal Director Susan J. Frietsche**, who authored an *amicus* brief filed in the U.S. Supreme Court in this case on behalf of law professors David S. Cohen, Greer Donley, and Rachel Rebouché. “People are being denied their rights in cruel, life-endangering ways. It’s grotesque that it’s even a question, but we need and deserve the Court to clarify the rights of pregnant people to obtain emergency medical care.”

The failure to issue a decision is especially distressing given the harm caused by the law in question. When the Court accepted the case five months ago, they allowed Idaho to continue to deny pregnant women in crisis emergency medical care. (That decision is now reversed.)

In the five months between when the Court accepted the case and issued a non-decision ruling, approximately two gravely ill pregnant Idahoans per month have been forced to escape Idaho by helicopter after being denied emergency care.

“Dismissing this case without a decision is not a victory, it is a delay,” says **WLP Senior Staff Attorney Christine Castro**, who co-authored the brief. “I see the dismissal as a thinly veiled effort by the Court's majority to repudiate its obligation to reckon with the legal chaos and human suffering created by *Dobbs*.”

It’s also a shocking abandonment of hundreds of thousands of pregnant people in Texas, where the Fifth Circuit Court of Appeals allowed the state to ignore EMTALA and deny pregnant people emergency care just days before the U.S. Supreme Court accepted *Moyle*.

As Justice Jackson asserted, "While this Court dawdles and the country waits, pregnant people experiencing emergency medical conditions remain in a precarious position, as their doctors are kept in the dark about what the law requires. This Court had a chance to bring clarity and certainty to this tragic situation, and we have squandered it."

In [our brief](#), we argued for another legal solution: Overturn *Dobbs*.

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Trailblazing since 1974, Women's Law Project is a public interest legal center devoted to expanding and protecting reproductive rights, LGBTQ+ equality, and gender justice in Pennsylvania and beyond.

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