

(K)NOW (Y)OUR (R)IGHTS

ABORTION CARE IN DELAWARE

In June 2022, the U.S. Supreme Court issued its ruling in *Dobbs v. Jackson Women’s Health Organization*, which overturned nearly five decades of precedent protecting a person’s right to obtain an abortion. The Court’s ruling has reverberated across the nation, leaving many people unsure of what their rights are in their state. This guide seeks to educate Delawareans and those seeking abortion care in Delaware about their rights and provide resources.

Is abortion legal in Delaware?

Yes. In 2017, the Delaware legislature passed a law protecting people’s right to access an abortion until viability which is determined by a medical professional.

Abortions may be performed at or after viability if the patient’s health or life is at risk or if there is a lethal fetal anomaly. **The U.S. Supreme Court’s decision does not change Delaware law protecting abortion rights.**

Who may perform abortions in Delaware?

Physicians and advanced practice clinicians (APC) such as nurse practitioners and physician assistants may provide medication and procedural abortion care.

How much does an abortion cost in Delaware?

Generally, abortions cost between \$500-\$791, but the cost may vary by provider and gestation.

Is there financial assistance available?

Yes. Planned Parenthood of Delaware will not turn patients away if they are unable to pay.

The First State Abortion Fund (FSAF) was created to provide financial assistance for patients having abortions in Delaware. FSAF will also provide practical support for those seeking abortions, such as lodging, transportation, and childcare.

I’m on Medicaid. Does it cover my abortion care?

In most cases, no. Medicaid only covers the cost of an abortion in instances of rape, incest, or if the life of the pregnant person is in danger.

Delaware officials could opt to cover abortion care under Medicaid, as 16 states have already done, but they have not done so yet.

Does my private insurance cover abortion care?

Delaware does not require private insurers to cover abortion care, but many provide coverage. To find out if your insurance covers abortion care, contact your insurance provider and ask for your policy information.

Do you have to be a resident of Delaware to receive abortion care in Delaware?

No. Residents from other states may obtain an abortion in Delaware.

I live in a state that has banned abortion. Can I be criminalized or sued for getting an abortion in Delaware?

People residing in other states should [consult their local laws](#) to determine if there are criminal or civil penalties imposed on those who obtain abortions.

However, Delaware has taken actions to provide some protections to patients, providers, and those who aid people in obtaining an abortion. Delaware recently passed a state law that says it will:

- Not cooperate with investigations initiated by other states seeking to criminalize patients, providers, and supporters.
- Not honor subpoenas for medical records of patients who have obtained an abortion.
- Not extradite people who have a warrant for their arrest for obtaining or providing an abortion.
- Additionally, the law allows individuals to file a civil lawsuit in Delaware state court to recoup legal fees they incurred because of another state's attempt to penalize them criminally or civilly.

Can I get an abortion if I am under 18?

Yes. Delaware law requires that a person younger than 16 must notify their parent or guardian 24 hours in advance of their abortion. Parents do not need to consent to the abortion. Minors can seek a judicial bypass in limited circumstances, such as an abusive parent, where they notify a judge rather than the parent or guardian.

16- and 17-year-old patients are not required to notify their parent or guardian about their abortion.

Is abortion safe?

Yes. Both medication and procedural abortions are extremely safe procedures, with very low rates of complications, according to leading organizations like the National Academies of Sciences, Engineering and Medicine.

Click the logos below to connect with our local partners



Questions: (302) 491-9429

DE Abortion Helpline: (302) 992-8096 or (877) 312-2366