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Case Explainer: Missouri v. FDA

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On Monday, the Trump Administration filed a reply in support of the Biden Administration's motion to dismiss *Missouri v. FDA*, a case challenging FDA decisions that have made it easier to access mifepristone, a rigorously studied and extremely safe drug commonly used in medication abortion.

The lawsuit, brought by Missouri, Idaho, and Kansas (the "States"), seeks to reimpose medically unnecessary restrictions on mifepristone, including that it be administered in person rather than by telehealth. The States filed their complaint in federal district court in Texas in an attempt to revive *Alliance for Hippocratic Medicine v. FDA* ("*AHM v. FDA*"). All claims in *AHM v. FDA* were dismissed after the U.S. Supreme Court held in June 2024 that the plaintiffs in that suit—anti-abortion doctors and activists who never prescribed and experienced no harm related to mifepristone—had no legal right (standing) to challenge FDA's regulations related to the drug.

In its recent filing in *Missouri v. FDA*, the Trump Administration's Justice Department argues that the States' case should be dismissed or transferred to another court because the States have no connection to the Texas district in which they filed their complaint. The Justice Department also argues that the lawsuit should be dismissed because the States have not demonstrated they've suffered any injury, and thus lack standing, and additionally because they did not first ask FDA to review their claims and brought some claims too late.

This filing, however, is not a signal of the Trump Administration's position on medication abortion generally or the FDA's related regulations. Rather, it offers the court the only credible arguments the administration could make under longstanding, foundational principles and precedent on court venue and jurisdiction. Notably, the filing does not address the merits of the case or reaffirm the FDA's decisions on mifepristone. The next step is for Judge Kacsmaryk, who previously ruled in favor of the anti-abortion doctors and activists in *AHM v. FDA*, to decide whether to dismiss the case.

To learn more about the clear scientific record showing mifepristone's safety and efficacy, read our amicus brief submitted to the U.S. Supreme Court on behalf of over 300 reproductive health researchers in *AHM v. FDA* here.

To learn more about how the Trump Administration could restrict access to medication abortion, read our election explainer How a National Abortion Ban is at Stake in this Election here.