

STATE LEGAL SNAPSHOT

Maine

Abortion law, status, and enforcement — one-page reference

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



● Abortion is **protected by statute**, legal at every stage of pregnancy — **no gestational limit**, currently available.

GESTATIONAL LIMIT	None	✓ AVAILABLE	Yes	✓ MOTHER EXEMPT	Yes	FETAL HOMICIDE LAW	No	PERSONHOOD LANGUAGE	No
✓ TELEHEALTH	Allowed	WAITING PERIOD	None	RAPE / INCEST EXCEPTION	N/A	PARENTAL INVOLVEMENT	Consent one parent		
✓ SHIELD STATE	Yes	MEDICAID	Broader than Hyde	CIVIL BOUNTY LAW	No	PENDING CHANGE	See below		

§ Jurisdiction overview

Maine codified abortion rights in its Reproductive Privacy Act; abortion is legal pre-viability and post-viability when a physician deems it necessary, with no gestational cutoff for post-viability care.

22 M.R.S.A. § 1598

▣ Fetal personhood & the internal contradiction

Maine's legal regime is internally consistent — and the consistency favors abortion access. The state has no fetal-homicide law, no fetal-personhood definition, and no fetal wrongful-death remedy. The sole statute touching personhood, 22 M.R.S.A. § 1595, anchors legal personhood to live birth, meaning that a fetus is not a 'human person' until it is born alive. The criminal code's homicide provisions protect 'another human being' — a term that, in the absence of a definition including the unborn and in light of § 1595, applies only to born persons.

125th Maine Legislature, LD 1463 (2011) — final disposition · 22 M.R.S.A. § 1595

MINORS

Maine requires consent of one parent, adult family member, or a judicial bypass; a health care professional may also waive the requirement if the minor is competent and the abortion is in her best interest.

SPOUSAL / PATERNAL RIGHTS

Maine has no statute requiring spousal or paternal consent or notice for abortion; no such law has been enacted at any point.

▣ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician / health care professional — performing lawful abortion	No criminal penalty exists; former § 1598(4) repealed in 2023	None for abortions performed in compliance with § 1598
Unlicensed person — performing abortion	Unlicensed practice of medicine or nursing (Title 32 licensing statutes)	Varies; potentially Class D or C crime under general practice-of-medicine statutes; license discipline for licensed professionals acting outside scope
Provider — failure to preserve life of live-born infant after abortion	Subject to homicide, manslaughter, and civil liability for wrongful death and medical malpractice	Murder: life or any term not less than 25 years; Manslaughter: up to 30 years (Class A); Civil liability per malpractice and wrongful-death statutes
Third party — assault causing termination of pregnancy (non-abortion context)	Elevated aggravated assault on a pregnant person, 17-A M.R.S.A. § 208-C	Class A crime: up to 30 years imprisonment and up to \$50,000 fine
Any person — sale or use of live fetuses for experimentation	22 M.R.S.A. § 1593 — use, transfer, or distribution of a live human fetus for experimentation	Class C crime: up to 5 years imprisonment and up to \$5,000 fine; strict liability

Recent changes

- Jun 2025

Maine House of Representatives rejected a slate of seven anti-abortion bills (LD 975, LD 682, LD 253, LD 866, LD 887, LD 1007, LD 1154), including proposals to criminalize abortion, restrict medication abortion, remove MaineCare coverage, and impose new informed-consent mandates.
- May 2025

Governor Mills signed LD 538, allowing prescribers of mifepristone and misoprostol to omit their names from prescription labels, displaying only the facility name.
- Mar 2025

The Maine Legislature held public hearings on seven anti-abortion bills; LD 975 (total repeal and criminalization) was withdrawn by its sponsor during the hearing.
- Aug 2024

Maine's comprehensive shield law (P.L. 2023 c.
- Apr 2024

Proposed constitutional amendment LD 780 to enshrine reproductive autonomy in the Maine Constitution failed to secure the required two-thirds majority in the Maine House (75-65 vote), effectively ending the effort.
- Jan 2024

Cost-sharing prohibition for abortion services took effect: private insurance plans may no longer impose deductibles, copayments, or coinsurance for abortion care (P.L. 2023 c. 347, LD 935).
- Oct 2023

LD 1619 (P.L. 2023 c.

Pending changes to watch

LD 682 (132nd Legislature, 2025)

Legislation · Defeated: Ought Not to Pass report accepted June 2025

Would have reimposed a 'life or health of the mother' standard for post-viability abortion, reinstated criminal penalties, and added demographic reporting requirements.

Maine Family Planning v. Trump Administration (Medicaid defunding)

Litigation · Pending in federal court; district court denied preliminary injunction restoring Medicaid funding for Maine Family Planning

If the federal defunding is upheld, Maine Family Planning may lose federal Medicaid reimbursement for non-abortion primary care, potentially affecting clinic viability; abortion funding through state-only MaineCare funds is not directly affected.

Key authorities

- Reproductive Privacy Act — Core Abortion Right

22 M.R.S.A. § 1598

The central statute: declares abortion legal before viability, permits it after viability under physician judgment, defines abortion, specifies who may perform it, and preempts local regulation.
- Minor Consent to Abortion

22 M.R.S.A. § 1597-A

Governs parental consent, health care professional waiver, and judicial bypass for minors seeking abortion.
- Informed Consent to Abortion

22 M.R.S.A. § 1599-A

Requires health care professionals to obtain written informed consent, specifying the information that must be disclosed.
- MaineCare Abortion Coverage

22 M.R.S.A. § 3196

Requires Maine Medicaid to cover abortion services, using state funds for abortions not eligible for federal matching under the Hyde Amendment.
- Private Insurance Abortion Mandate

24-A M.R.S.A. § 4320-M

Requires private health plans covering maternity to cover abortion and prohibits cost-sharing for abortion services.

Generated from the structured legal focused deep-research record for ME (research completed 2026-07-12). This snapshot condenses a much larger sourced dataset — full citations, quoted statutory text, and plain-language explanations are in the full Maine survey. This document has not been reviewed by a lawyer and should not be used as legal advice.