

Rhode Island

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

As of Jul 12, 2026

Research completed Jul 12, 2026

Confidence: high



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

GESTATIONAL LIMIT	None	✓ AVAILABLE	Yes	MOTHER EXEMPT	Unclear	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

Rhode Island has codified a statutory right to abortion up to fetal viability, with post-viability bans permitted only to preserve life or health, and protects providers and patients from out-of-state prosecutions through a shield law.

R.I. Gen. Laws § 23-4.13-2(a) · Benson v. McKee, 273 A.3d 121 (R.I. 2022)

☒ Fetal personhood & the internal contradiction

Rhode Island is internally consistent on fetal personhood in a way that favors abortion access. The state repealed its fetal-homicide statute, rejected a fetal-personhood constitutional amendment, and codified a statutory right to abortion. The only tension is between the wrongful-death line of cases — which treats a viable fetus as a person for civil recovery purposes — and the RPA's treatment of the fetus as not a rights-holder.

R.I. Gen. Laws § 11-23-5 (repealed) · R.I. Const. Art. I, § 2 · Rhode Island Question 14 (1986)

MINORS

An unemancipated minor under 18 who has not married must obtain consent from one parent or guardian, or obtain a judicial bypass from family court.

SPOUSAL / PATERNAL RIGHTS

Rhode Island's spousal-notice requirement (Chapter 23-4.8) was repealed in 2019 by the Reproductive Privacy Act; no spousal or paternal consent law remains.

☒ Penalties in effect

ACTOR	OFFENSE	PENALTY
Physician	Post-viability termination without life-or-health necessity; failure to obtain informed consent	Unprofessional conduct — license denial, revocation, or discipline by Board of Medical Licensure and Discipline; civil liability for failure to obtain informed consent (prima facie evidence). No criminal penalty.
Nurses and licensed medical personnel	Knowing and intentional failure to provide reasonable medical care to infant born alive during abortion	Felony — fine up to \$5,000, imprisonment up to 5 years, or both. If death results: manslaughter.
Pregnant person	None	No criminal or civil penalty exists for obtaining, procuring, or self-managing an abortion.

☒ Recent changes

Jun 2024	The Healthcare Provider Shield Act takes effect, providing comprehensive protections for providers and patients against out-of-state abortion-related legal actions.
Jul 2023	Rhode Island's abortion-facility regulation (216-RICR-20-10-6), which imposed targeted regulations on abortion providers, is repealed.
May 2023	The Equality in Abortion Coverage Act (EACA) is signed into law, adding abortion coverage to Rhode Island Medicaid and repealing the abortion-coverage exclusion for state-employee health plans.

- Jan 2023 The U.S. Supreme Court denies certiorari in Doe v. McKee, No. 22-201, ending the federal appeal of Benson v. McKee.
- Jul 2022 Governor Daniel McKee issues Executive Order 22-28, barring state agencies from cooperating with out-of-state investigations related to reproductive healthcare and declining interstate extradition for abortion-related charges.
- Jun 2022 Dobbs v. Jackson Women's Health Organization is decided, overturning Roe v. Wade. The RPA remains in effect, and Rhode Island's abortion protections are unaffected.
- May 2022 The Rhode Island Supreme Court upholds the RPA in Benson v. McKee, dismissing a constitutional challenge for lack of standing.

⌘ Pending changes to watch

Interstate shield-law challenges (Louisiana and Texas cases against New York physician)
Litigation · Pending in federal courts; Rhode Island not a party but its shield law could be affected by the legal principles established.
If federal courts hold that shield-law protections are unconstitutional or preempted, Rhode Island's Healthcare Provider Shield Act could be challenged or limited in effect.

2025 Anti-abortion bills (H5295, H5296, H5661)
Legislation · All three bills failed to pass during the 2025 legislative session.
If reintroduced and passed in a future session, H5296 would have expanded born-alive protections with felony penalties; H5661 would have expanded wrongful-death actions for fetal death; H5295 would have imposed additional abortion restrictions.

⌘ Key authorities

Reproductive Privacy Act R.I. Gen. Laws § 23-4.13-1 et seq. (P.L. 2019, ch. 27)
The cornerstone of Rhode Island abortion law, codifying a statutory right to abortion up to viability and post-viability for life or health.

Informed Consent for Abortion R.I. Gen. Laws § 23-4.7-1 through § 23-4.7-8
Establishes written informed-consent requirements, parental consent for minors, and physician liability for violations.

Healthcare Provider Shield Act R.I. Gen. Laws § 23-101-1 et seq. (P.L. 2024, chs. 260, 261)
Comprehensive shield law protecting providers and patients from out-of-state investigations and creating a cause of action against hostile litigation.

Equality in Abortion Coverage Act 2023 R.I. Pub. Laws ch. 17 (2023-H 5006, 2023-S 32)
Expanded abortion coverage to Medicaid and state-employee plans, removing decades-old restrictions on public funding of abortion.

Born-Alive Infant Protection R.I. Gen. Laws § 11-9-18
Imposes a felony duty of care on medical personnel for infants born alive during attempted abortion; expressly preserved by the RPA.

Generated from the structured legal focused deep-research record for RI (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 Rhode Island survey. This document has not been reviewed by a lawyer and should not be used as legal advice.