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The Medicolegal Tsunami

This month’s POTM, Post-Roe emergency medicine: Policy, clinical, training, and individual implications for emergency clinicians by Samuels-Kalow et al, addresses the Supreme Court decision for Dobbs v. Jackson Women's Health Organization, No. 19-1392, 597 U.S. ___ (2022), that more or less overturned Roe v. Wade. This contribution provides a patient-facing, level-headed, scholarly analysis of the impact of this decision on reproductive health, health equity, and on individual patients.

This well-referenced paper provides an excellent go-to resource to learn more about the medical impact, and also the political and legal history, of Roe v. Wade. As one example, the authors note “One study estimated that pregnancy-related mortality will increase by 21% overall under an abortion ban but, because of racial disparities, it will increase by 13% among those who are White and 33% among those who are non-Hispanic Black.” Another excerpt reminds that “40 million women aged 13–44 (58% of the country) currently live in states that have demonstrated opposition to abortion rights.”

The authors provide rationale and evidence to assert that the “ripple effects” of the overturning of Roe v. Wade will affect the work and lives of far more people than just women who desire abortion. Without hyperbole, it could be argued that this decision will have more of a “tsunami effect.” The authors show that the wave washes far beyond the potential for death or destruction of pregnant women, and includes introduction of multiple new legal jeopardies for emergency physicians in everyday practice. Thus, regardless of the reader’s beliefs on the issue, this month’s POTM reinforces the need for emergency physicians to be educated on this medicolegal tsunami.