

**REDRAFT – Amendment #388**

**SECTION-BY-SECTION SUMMARY**

<b><u>SECTION</u></b>	<b><u>Amends</u></b>	<b><u>Summary</u></b>
10A	MGL c. 12 s. 11I½ and 11I¾ (new sections)	<p><b>Section 11I½</b> – Creates a new cause of action for interference with “legally protected health care activity” in Massachusetts through abusive litigation filed or prosecuted in a state other than Massachusetts.</p> <p><b>Section 11I¾</b> – Establishes the laws of Massachusetts as governing in any case or controversy related to reproductive or gender-affirming health care services heard in Massachusetts.</p>
28A	MGL c. 94C s. 19A	Directs the Department of Public Health to establish a statewide standing order that authorizes the dispensing of emergency contraception in Massachusetts by any licensed pharmacist.
28B	MGL c. 112 s. 5F½ (new section)	Insulates physicians from adverse consequences from the Board of Registration in Medicine for providing reproductive or gender-affirming health care services, so long as the services as provided would have been lawful and consistent with good medical practice if they occurred entirely in Massachusetts.
28C	MGL c. 112 s. 9H	Insulates physician assistants from adverse consequences from the Board of Registration of Physician Assistants for providing reproductive or gender-affirming health care services, so long as the services as provided would have been lawful and consistent with the standards of conduct for physician assistants if they occurred entirely in Massachusetts.
28D	MGL c. 112 s. 32	Insulates pharmacists from adverse consequences from the Board of Registration of Pharmacy for providing reproductive or gender-affirming health care services, so long as the services as provided would have been lawful and consistent with the code of professional conduct for pharmacists if they occurred entirely in Massachusetts.
28E	MGL c. 112 s. 77	Insulates nurses from adverse consequences from the Board of Registration in Nursing for providing reproductive or gender-affirming health care services, so long as the services as provided would have been lawful and consistent with the standard of conduct for nurses if they occurred entirely in Massachusetts.
28F	MGL c. 112 s. 128	Insulates psychologists from adverse consequences from the Board of Registration of Psychologists for providing reproductive or gender-affirming health care services, so long as the services as provided would have been lawful and consistent with the standard of conduct for psychologists if they occurred entirely in Massachusetts.
28G	MGL c. 112 s. 137	Insulates social workers from adverse consequences from the Board of Registration of Social Workers for providing reproductive or gender-affirming health care services, so long as the services as provided would have been lawful and consistent with the standards of professional practice and conduct for social workers if they occurred entirely in Massachusetts.

<b><u>SECTION</u></b>	<b><u>Amends</u></b>	<b><u>Summary</u></b>
41A	MGL c. 147 s. 63 (new section)	Prevents Massachusetts law enforcement agencies from providing information or assisting federal or other state law enforcement agencies or private citizens or quasi-law enforcement agents with any investigation or inquiry into services constituting “legally protected health care activity”, as defined in MGL c. 12 s. 11I½, in Massachusetts.
41B	MGL c. 175 s. 193U	Prevents medical malpractice insurers from discriminating against or adjusting a healthcare provider’s risk classification or premium charges as a result of providing reproductive or gender-affirming health care services.
46A	MGL c. 218 s. 4A	Requires judgment creditors to file an action to enforce a judgment issued in another state concerning “legally protected health care activity”, as defined in MGL c. 12 s. 11I½, rather than simply filing a copy of a foreign judgment to have it recognized within Massachusetts.
46B	MGL c. 218 s. 4A	Requires Massachusetts courts, in actions filed to enforce a judgment issued in connection with litigation concerning “legally protected health care activity”, as defined in MGL c. 12 s. 11I½, to not give any force or effect to such judgement if it was issued without jurisdiction.
46C	MGL c. 223A s. 11	Prevents Massachusetts courts from ordering a person within Massachusetts to give testimony or produce documents or other things for use in connection with litigation concerning “legally protected health care activity”, as defined in MGL c. 12 s. 11I½.
46D	MGL c. 231 s. 59H	Excludes cases brought concerning “legally protected health care activity”, as defined in MGL c. 12 s. 11I½, from Massachusetts’ anti-SLAPP statute.
46E	MGL c. 233 s. 13A	Prevent judges from issuing a summons where prosecution is pending concerning “legally protected health care activity”, as defined in MGL c. 12 s. 11I½, or where a grand jury investigation concerning “legally protected health care activity”, as defined in MGL c. 12 s. 11I½, has commenced or is about to commence for a criminal violation of a law of another state, unless the acts forming the basis of the prosecution or investigation would also constitute an offense if occurring entirely in Massachusetts.
46F	MGL c. 276 s. 13	Prevents the Governor from extraditing a person to another state who was charged in another state as a result of engaging in “legally protected health care activity”, as defined in MGL c. 12 s. 11I½, except where required by federal law or unless the executive authority of the demanding state alleges in writing that the accused was physically present in the demanding state at the time of the commission of the alleged offense and thereafter fled from that state.
46G	MGL c. 276 s. 14	Prevents the Governor from extraditing a person to another state who was charged in another state unless the acts for which extradition is sought would be punishable by the laws of Massachusetts, if the consequences claimed to have resulted therefrom in the demanding state had taken effect in Massachusetts.
46H	MGL c. 276 s. 20A	Technical edit related to Section 46F.

<u>SECTION</u>	<u>Amends</u>	<u>Summary</u>
46I	MGL c. 276 s. 20B	Technical edit related to Section 46F.
46J	MGL c. 276 s. 20C	Technical edit related to Section 46F.