

S.2996 – Amendment to H.4954

SECTION-BY-SECTION SUMMARY

<u>SECTION</u>	<u>Amends</u>	<u>Summary</u>
1	MGL c. 9A s. 1	Defines “Gender-affirming health care services”, “Legally-protected health care activity” and “Legally-protected health care activity” for chapter 9A, which establishes the Secretary of State’s address confidentiality program.
2	MGL c. 9A s. 2	Allows Individuals engaged in the provision, facilitation or promotion of legally-protected health care activity to apply to Secretary of State to have an address designated by the secretary serve as the health care professional’s address.
3	MGL c. 9A s. 7	Adds GLBTQ Legal Advocates & Defenders, Inc., Planned Parenthood League of Massachusetts, Inc. and Reproductive Equity Now, Inc. to the list of organizations the Secretary of State shall consult with when promulgating regs for chapter 9A, which establishes the SoS’s address confidentiality program.
4	MGL c. 12 s. 11I½ and 11I¾ (new sections)	<p>Section 11I½ – Codifies that access to reproductive and gender-affirming health care services is a right secured by the constitution and laws of the Commonwealth. 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>Section 11I¾ – 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>
5	MGL c. 32A s. 17C	Requires the GIC to cover abortion, as defined in defined in section 12K of chapter 112, and abortion-related care.
6	MGL c. 32A s. 17C	Requires the GIC to cover abortion and abortion-related care without imposing a cost-sharing amount (i.e., co-payment, deductible or coinsurance) on enrollees.
7	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.
8	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.
9	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.
10	MGL c. 112 s. 32	Insulates pharmacists from adverse consequences from the Board of Registration of Pharmacy for providing reproductive or gender-affirming

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		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.
11	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.
12	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.
13	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.
14	MGL c. 118E s. 10A	Requires MassHealth to cover abortion, as defined in defined in section 12K of chapter 112, and abortion-related care.
15	MGL c. 118E s. 10A	Requires MassHealth to cover abortion and abortion-related care, prenatal care, childbirth, and postpartum care without imposing a cost-sharing amount (i.e., co-payment, deductible or coinsurance) on enrollees.
16	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.
17	MGL c. 175 s. 47F	Requires an individual, group blanket or general policy of accident and sickness insurance that provides hospital expense and surgical expense insurance that is issued or renewed within or without the commonwealth to cover abortion, as defined in defined in section 12K of chapter 112, and abortion-related care.
18	MGL c. 175 s. 47F	Requires an individual, group blanket or general policy of accident and sickness insurance that provides hospital expense and surgical expense insurance that is issued or renewed within or without the commonwealth to cover abortion and abortion-related care without imposing a cost-sharing amount (i.e., co-payment, deductible or coinsurance) on insureds.
19	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.
20	MGL c. 176A s. 8H	Requires a contract between a subscriber and the corporation under an individual or group hospital service plan that is delivered, issued or renewed within or without the commonwealth to cover abortion, as

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		defined in defined in section 12K of chapter 112, and abortion-related care.
21	MGL c. 176A s. 8H	Requires a contract between a subscriber and the corporation under an individual or group hospital service plan that is delivered, issued or renewed within or without the commonwealth to cover abortion, as defined in defined in section 12K of chapter 112, and abortion-related care.
22	MGL c. 176A s. 8H	Requires a contract between a subscriber and the corporation under an individual or group hospital service plan that is delivered, issued or renewed within or without the commonwealth to cover abortion and abortion-related care without imposing a cost-sharing amount (i.e., co-payment, deductible or coinsurance) on insureds.
23	MGL c. 176B s. 4H	Requires a subscription certificate under an individual or group medical service agreement that is issued or renewed within or without the commonwealth to cover abortion, as defined in defined in section 12K of chapter 112, and abortion-related care.
24	MGL c. 176B s. 4H	Requires a subscription certificate under an individual or group medical service agreement that is issued or renewed within or without the commonwealth to cover abortion, as defined in defined in section 12K of chapter 112, and abortion-related care.
25	MGL c. 176B s. 4H	Requires a subscription certificate under an individual or group medical service agreement that is issued or renewed within or without the commonwealth to cover abortion and abortion-related care without imposing a cost-sharing amount (i.e., co-payment, deductible or coinsurance) on insureds.
26	MGL c. 176G s. 4I	Requires an individual or group health maintenance contract that is issued or renewed within or without the commonwealth to cover abortion, as defined in defined in section 12K of chapter 112, and abortion-related care.
27	MGL c. 176G s. 4I	Requires an individual or group health maintenance contract that is issued or renewed within or without the commonwealth to cover abortion and abortion-related care without imposing a cost-sharing amount (i.e., co-payment, deductible or coinsurance) on insureds.
28	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.
29	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.
30	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.

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31	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.
32	MGL c. 6D s. 8	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.
33	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.
34	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.
35	MGL c. 276 s. 20A	Technical edit related to Section 33.
36	MGL c. 276 s. 20B	Technical edit related to Section 33.
37	MGL c. 276 s. 20C	Technical edit related to Section 33.
38	Outside Section	For Sections 5, 6, 14, 15, 17, 18, and 20 to 27, inclusive, sets an effective date for health plans delivered, issued or renewed 6 months from the effective date of this act.