



General Assembly

February Session, 2024

Raised Bill No. 5424

LCO No. 2327



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT PROHIBITING ADVERSE ACTIONS AGAINST HEALTH CARE PROVIDERS FOR PROVIDING CERTAIN HEALTH CARE SERVICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2024*) As used in this section and
2 sections 2 and 3 of this act:

3 (1) "Gender-affirming health care services" means all medical care
4 relating to the treatment of (A) gender dysphoria, as set forth in the most
5 recent edition of the American Psychiatric Association's "Diagnostic and
6 Statistical Manual of Mental Disorders", and (B) gender incongruence,
7 as defined in the most recent revision of the "International Statistical
8 Classification of Diseases and Related Health Problems";

9 (2) "Health care entity" means an entity that supervises, controls,
10 grants privileges to, directs the practice of or directly, or indirectly,
11 restricts the practice of a health care provider;

12 (3) "Health care provider" means a person who (A) provides health
13 care services, (B) is licensed, certified or registered pursuant to title 20
14 of the general statutes, and (C) is employed by or acting on behalf of a

15 health care entity;

16 (4) "Medically accurate and appropriate information and counseling"
17 means information and counseling that is (A) supported by the weight
18 of current scientific evidence, (B) derived from research using accepted
19 scientific methods, (C) consistent with generally recognized scientific
20 theory, (D) published in peer-reviewed journals, as appropriate, and (E)
21 recognized as accurate, complete, objective and in accordance with the
22 accepted standard of care by professional organizations and agencies
23 with expertise in the relevant field; and

24 (5) "Reproductive health care services" means all medical, surgical,
25 counseling or referral services relating to the human reproductive
26 system, including, but not limited to, services relating to sexual health,
27 pregnancy, contraception or the termination of a pregnancy.

28 Sec. 2. (NEW) (*Effective July 1, 2024*) (a) Except as provided in
29 subsection (b) of this section, if a health care provider is acting in good
30 faith, within the health care provider's scope of practice, education,
31 training and experience, including the health care provider's specialty
32 areas of practice and board certification, and within the accepted
33 standard of care, a health care entity shall not limit the health care
34 provider's provision of the following with regard to reproductive health
35 care services and gender-affirming health care services:

36 (1) Comprehensive medically accurate and appropriate information
37 and counseling that conforms to the accepted standard of care to an
38 individual patient regarding that patient's health status, including, but
39 not limited to, diagnosis, prognosis, recommended treatment, treatment
40 alternatives and any potential risks to the patient's health or life; and

41 (2) Comprehensive medically accurate and appropriate information
42 and counseling about available and relevant services and resources in
43 the community and how to access such services and resources to obtain
44 health care of the patient's choosing.

45 (b) Nothing in subsection (a) of this section shall be construed to

46 prohibit a health care entity that employs a health care provider from
47 performing relevant peer review of the health care provider, or from
48 requiring such health care provider to:

49 (1) Comply with preferred provider network or utilization review
50 requirements of any program or entity authorized by state or federal
51 law to provide insurance coverage for health care services to an enrollee;
52 or

53 (2) Meet established health care quality and patient safety guidelines
54 or rules.

55 (c) A health care entity shall not discharge, demote, suspend,
56 discipline or otherwise discriminate against a health care provider
57 solely for providing information or counseling as described in
58 subsection (a) of this section.

59 Sec. 3. (NEW) (*Effective July 1, 2024*) (a) Except as provided in
60 subsection (b) of this section, if a health care provider is acting in good
61 faith, within the health care provider's scope of practice, education,
62 training and experience and within the accepted standard of care, a
63 health care entity with an emergency department may not prohibit the
64 health care provider from providing any reproductive health care
65 service related to complications of pregnancy, including, but not limited
66 to, services related to miscarriage management and treatment for
67 ectopic pregnancies, (1) if the failure to provide such service would
68 violate the accepted standard of care, or (2) in cases in which there is a
69 serious risk to a patient's life or health.

70 (b) Nothing in subsection (a) of this section shall be construed to
71 prohibit a health care entity from limiting a health care provider's
72 practice for purposes of:

73 (1) Complying with preferred provider network or utilization review
74 requirements of any program or entity authorized by state or federal
75 law to provide insurance coverage for health care services to an enrollee;
76 or

77 (2) Ensuring quality of care and patient safety, including, but not
78 limited to, when quality control or patient safety issues are identified
79 pursuant to peer review.

80 (c) A health care entity may not discharge, demote, suspend, or
81 otherwise discriminate against a health care provider for providing a
82 reproductive health care service pursuant to the provisions of this
83 section.

84 (d) Nothing in this section shall be construed to alter a health care
85 entity's obligations under applicable federal laws and regulations,
86 including, 42 USC 1395dd, as amended from time to time.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	New section
Sec. 2	<i>July 1, 2024</i>	New section
Sec. 3	<i>July 1, 2024</i>	New section

PH *Joint Favorable*