

1 Brianne K. Nadeau

2 Councilmember Brianne K. Nadeau

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4 Jack Evans

5 Councilmember Jack Evans

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7 Anita Bonds

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David Grosso

Councilmember David Grosso

Charles Allen

Councilmember Charles Allen

Robert C. White, Jr.

Councilmember Robert C. White, Jr.

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13 A BILL

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16 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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20 To amend the Human Rights Act of 1977 to prohibit discrimination against health care
21 professionals by a health care provider, based on the professional's participation in,
22 willingness to participate in, or support for abortion or sterilization procedures, or public
23 statements related to abortion or sterilization procedures.

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25 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
26 act may be cited as the "Abortion Provider Non-Discrimination Amendment Act of 2017".

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28 Sec. 2. Title II of the Human Rights Act of 1977, effective December 13, 1977 (D.C.
29 Law 2-38; D.C. Official Code § 2-1402.01 *et seq.*), is amended by adding a new section 291 to
30 read as follows:

31 "Sec. 291. Prohibition on discrimination against health care professionals.

32 "(a) For the purposes of this section:

33 "(1) "Health care professional" means a physician; advance practice clinician;
34 nurse; nurse's aide; medical assistant; hospital employee; clinic employee; nursing home
35 employee; pharmacist; pharmacy employee; medical researcher; medical or nursing school
36 faculty, student, or employee, counselor or social worker; or any other individual involved in
37 providing health care in any manner.

38 “(2) “Health care provider” means:

39 “(A) Any person, group of persons, institution, corporation, organization,
40 or board engaged in the provision of health care in any manner; or

41 “(B) Any person, group of persons, institution, corporation, organization,
42 or board engaged in, or authorized for, credentialing or licensing of a health care professional.

43 “(b) It shall be an unlawful discriminatory practice for a health care provider to do any of
44 the following acts to a health care professional based on the health care professional’s
45 participation in abortion or sterilization procedures or based on the fact that the health care
46 professional is willing to participate in abortion or sterilization procedures:

47 “(1) Fail or refuse to hire, or discharge; transfer; discriminate with respect
48 to compensation or promotion, or with respect to residency training opportunities, staff
49 privileges, admitting privileges, staff appointments, or licensure or board certification; take
50 adverse administrative action; cause loss of career specialty; harass; or otherwise penalize,
51 discipline, or take adverse action.

52 “(c) It shall be an unlawful discriminatory practice for a health care provider to prohibit
53 public statements or manifestations of attitudes or views related to abortion or sterilization
54 procedures that are made outside the scope of employment by an individual who is employed,
55 enrolled in a training program, has an academic appointment, or who has staff privileges with
56 that health care provider.”

57 Sec. 3. Fiscal impact statement.

58 The Council adopts the fiscal impact statement in the committee report as the fiscal
59 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
60 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

61 Sec. 4. Effective date.

62 This act shall take effect following approval by the Mayor (or in the event of veto by the
63 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
64 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
65 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
66 Columbia Register.