

HOUSE No. 4930

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 28, 2022.

The committee on Ways and Means, to whom was referred the Bill to improve access to emergency contraception (House, No. 2264), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4930).

For the committee,

AARON MICHELWITZ.

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The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act expanding protections for reproductive rights.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Whereas, The deferred operation of this act would tend to defeat its purpose, which is to
2 expand protections for reproductive rights, therefore it is hereby declared to be an emergency
3 law, necessary for the immediate preservation of the public convenience.

4 Be it enacted by the Senate and House of Representatives in General Court assembled,
5 and by the authority of the same, as follows:

6 SECTION 1. Section 1 of chapter 9A of the General Laws, as appearing in the 2020
7 Official Edition, is hereby amended by inserting after the definition of “Application assistant”
8 the following 3 definitions:-

9 “Gender-affirming health care services”, all supplies, care and services of a medical,
10 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
11 rehabilitative or supportive nature relating to the treatment of gender dysphoria.

12 “Legally-protected health care activity”, (i) the exercise and enjoyment, or attempted
13 exercise and enjoyment, by any person of rights to reproductive health care services or gender-

14 affirming health care services secured by the constitution or laws of the commonwealth; or (ii)
15 any act or omission undertaken to aid or encourage, or attempt to aid or encourage, any person in
16 the exercise and enjoyment, or attempted exercise and enjoyment, of rights to reproductive
17 health care services or gender-affirming health care services secured by the constitution or laws
18 of the commonwealth, or to provide insurance coverage for such services; provided, however,
19 that the provision of such a health care service by a person duly licensed under the laws of the
20 commonwealth and physically present in the commonwealth, and the provision of insurance
21 coverage for such services, shall be legally protected if the service is permitted under the laws of
22 the commonwealth, regardless of the patient's location.

23 "Reproductive health care services", all supplies, care and services of a medical,
24 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
25 rehabilitative or supportive nature relating to pregnancy, contraception, assisted reproduction,
26 miscarriage management or the termination of a pregnancy.

27 SECTION 2. Section 2 of said chapter 9A of the General Laws, as so appearing, is
28 hereby amended by striking out subsection (1) and inserting in place thereof the following
29 subsection:-

30 (1)(a) Upon recommendation of an application assistant, an adult person, a parent or
31 guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person
32 may apply to the secretary to have an address designated by the secretary serve as the person's
33 address or the address of the minor or incapacitated person; or

34 (b) Individuals engaged in the provision, facilitation or promotion of legally-protected
35 health care activity may apply to the secretary to have an address designated by the secretary

36 serve as the health care professional’s address; provided, that in such cases, no recommendation
37 of an application assistant shall be required.

38 SECTION 3. Said chapter 9A of the General Laws is hereby further amended by striking
39 out section 7 and inserting in place thereof the following section:-

40 Section 7. The secretary shall promulgate regulations to implement this chapter and in
41 doing so may consult with the secretary of health and human services and Jane Doe Inc.; The
42 Massachusetts Coalition Against Sexual Assault and Domestic Violence, GLBTQ Legal
43 Advocates & Defenders, Inc., Planned Parenthood League of Massachusetts, Inc. and
44 Reproductive Equity Now, Inc.

45 SECTION 4. Chapter 12 of the General Laws is hereby amended by inserting after
46 section 11I the following 2 sections:-

47 Section 11I½. (a) As used in this section, the following words shall, unless the context
48 clearly requires otherwise, have the following meanings:

49 “Gender-affirming health care services”, all supplies, care and services of a medical,
50 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
51 rehabilitative or supportive nature relating to the treatment of gender dysphoria.

52 “Abusive litigation”, litigation or other action to deter, prevent, sanction or punish any
53 person engaging in legally-protected health care activity that is: (i) filed or prosecuted in any
54 state other than the commonwealth where liability, in whole or part, directly or indirectly, is
55 based on legally-protected health care activity that occurred in the commonwealth, including any
56 action in which liability is based on any theory of vicarious, joint or several liability derived

57 therefrom; or (ii) an attempt to enforce any order or judgment issued in connection with any such
58 action by any party to the action or any person acting on behalf of a party to the action; provided,
59 however, that a lawsuit shall be considered to be based on conduct that occurred in the
60 commonwealth if any part of any act or omission involved in the course of conduct that forms
61 the basis for liability in the lawsuit occurs or is initiated in the commonwealth, whether or not
62 such act or omission is alleged or included in any pleading or other filing in the lawsuit.

63 “Legally-protected health care activity”, (i) the exercise and enjoyment, or attempted
64 exercise and enjoyment, by any person of rights to reproductive health care services or gender-
65 affirming health care services secured by the constitution or laws of the commonwealth; or (ii)
66 any act or omission undertaken to aid or encourage, or attempt to aid or encourage, any person in
67 the exercise and enjoyment, or attempted exercise and enjoyment, of rights to reproductive
68 health care services or gender-affirming health care services secured by the constitution or laws
69 of the commonwealth, or to provide insurance coverage for such services; provided, however,
70 that the provision of such a health care service by a person duly licensed under the laws of the
71 commonwealth and physically present in the commonwealth, and the provision of insurance
72 coverage for such services, shall be legally protected if the service is permitted under the laws of
73 the commonwealth, regardless of the patient’s location.

74 “Reproductive health care services”, all supplies, care and services of a medical,
75 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
76 rehabilitative or supportive nature relating to pregnancy, contraception, assisted reproduction,
77 miscarriage management or the termination of a pregnancy.

78 (b) Access to reproductive health care services and gender-affirming health care services
79 is recognized and declared to be a right secured by the constitution or laws of the
80 commonwealth. Interference with this right, whether or not under the color of law, is against the
81 public policy of the commonwealth.

82 (c) Any public act or record of a foreign jurisdiction that prohibits, criminalizes,
83 sanctions, authorizes a person to bring a civil action against, or otherwise interferes with a
84 person, entity or carrier that seeks, receives, causes, aids in access to, aids or abets or provides,
85 or attempts or intends to seek, receive, cause, aid in access to, aid or abet, or provide
86 reproductive health care services or gender-affirming health care services, shall be an
87 interference with the exercise and enjoyment of the rights secured by the constitution and laws of
88 the commonwealth and shall be a violation of the public policy of the commonwealth.

89 (d) If a person, including any plaintiff, prosecutor, attorney or law firm, whether or not
90 acting under color of law, abusive litigation, or attempts of abusive litigation, with legally-
91 protected health care activity, any aggrieved person, entity or carrier, including any defendant in
92 such abusive litigation, may institute and prosecute a civil action for injunctive, monetary or
93 other appropriate relief within 3 years after notice of the cause of action accrues.

94 If the court finds for the petitioner in an action authorized by this section, recovery shall
95 be in the amount of actual damages, which shall include damages for the amount of any
96 judgment issued in connection with any abusive litigation, and any and all other expenses, costs
97 or reasonable attorney's fees incurred in connection with the abusive litigation.

98 (e) A court may exercise jurisdiction over a person in an action authorized by this section
99 if: (i) personal jurisdiction is found under section 3 of chapter 223A; (ii) the person has

100 commenced any action in any court in the commonwealth and, during the pendency of that
101 action or any appeal therefrom, a summons and complaint is served on the person or the attorney
102 appearing on the person's behalf in that action or as otherwise permitted by law; or (iii) the
103 exercise of jurisdiction is permitted under the Constitution of the United States.

104 (f) This section shall not apply to a lawsuit or judgment entered in another state that is
105 based on conduct for which a cause of action exists under the laws of the commonwealth if the
106 course of conduct that forms the basis for liability had occurred entirely in the commonwealth,
107 including any contract, tort, common law or statutory claims.

108 Section 11I³/₄. Notwithstanding any general or special law or common law conflict of law
109 rule to the contrary, the laws of the commonwealth shall govern in any case or controversy heard
110 in the commonwealth related to reproductive health care services or gender-affirming health care
111 services, as those terms are defined in section 11I¹/₂, except as may be required by federal law.

112 SECTION 5. Section 17C of chapter 32A of the General Laws, as appearing in the 2020
113 Official Edition, is hereby amended by inserting after the word "for", in line 3, the following
114 words:- abortion as defined in section 12K of chapter 112, abortion-related care,.

115 SECTION 6. Said section 17C of said chapter 32A, as so appearing, is hereby further
116 amended by inserting after the second paragraph the following 2 paragraphs:-

117 Coverage provided under this section for abortion or abortion-related care shall not be
118 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.
119 Coverage for abortion or abortion-related care offered under this section shall not impose
120 unreasonable restrictions or delays in the coverage.

121 Benefits for an enrollee under this section shall be the same for the enrollee's covered
122 spouse and covered dependents.

123 SECTION 7. Chapter 94C of the General Laws is hereby amended by striking out section
124 19A, as appearing in the 2020 Official Edition, and inserting in place thereof the following
125 section:-

126 Section 19A. (a) As used in this section, "emergency contraception" shall, unless the
127 context clearly requires otherwise, mean any drug approved by the federal Food and Drug
128 Administration as a contraceptive method for use after sexual intercourse, whether provided
129 over-the-counter or by prescription.

130 (b) The department shall ensure that a statewide standing order is issued to authorize the
131 dispensing of emergency contraception by a licensed pharmacist. The statewide standing order
132 shall include, but not be limited to, written, standardized procedures or protocols for the
133 dispensing of emergency contraception by a licensed pharmacist. Notwithstanding any general or
134 special law to the contrary, the commissioner, or a physician designated by the commissioner
135 who is registered to distribute or dispense a controlled substance in the course of professional
136 practice pursuant to section 7, shall issue a statewide standing order that may be used by a
137 licensed pharmacist to dispense emergency contraception under this section.

138 (c) Notwithstanding any general or special law to the contrary, a licensed pharmacist may
139 dispense emergency contraception in accordance with the statewide standing order issued under
140 subsection (b). Except for an act of gross negligence or willful misconduct, a pharmacist who,
141 acting in good faith, dispenses emergency contraception shall not be subject to any criminal or

142 civil liability or any professional disciplinary action by the board of registration in pharmacy
143 related to the use or administration of emergency contraception.

144 (d) Before dispensing emergency contraception authorized under this section, a
145 pharmacist may complete a training program approved by the commissioner on emergency
146 contraception; provided, however, that the training shall include, but not be limited to, proper
147 documentation, quality assurance and referral to additional services, including appropriate
148 recommendation that the patient follow-up with a medical practitioner.

149 (e) A pharmacist dispensing emergency contraception under this section shall annually
150 provide to the department the number of times such emergency contraception is dispensed.
151 Reports made pursuant to this section shall not identify any individual patient, shall be
152 confidential and shall not be public records as defined by clause Twenty-sixth of section 7 of
153 chapter 4 or section 10 of chapter 66.

154 (f) Except for an act of gross negligence or willful misconduct, the commissioner or a
155 physician who issues the statewide standing order under subsection (b) and any medical
156 practitioner who, acting in good faith, directly or through the standing order, prescribes or
157 dispenses emergency contraception shall not be subject to any criminal or civil liability or any
158 professional disciplinary action.

159 SECTION 8. Chapter 112 of the General Laws is hereby amended by inserting after
160 section 5F the following section:-

161 Section 5F½. Notwithstanding any general or special law to the contrary, no person shall
162 be subject to discipline by the board, including the revocation, suspension or cancellation of the
163 certificate of registration or reprimand, censure or monetary fine, for providing or assisting in the

164 provision of reproductive health care services or gender-affirming health care services, as those
165 terms are defined in section 111½ of chapter 12, or for any judgment, discipline or other sanction
166 arising from such health care services if the services as provided would have been lawful and
167 consistent with good medical practice if they occurred entirely in the commonwealth.

168 The board shall not make available for public dissemination on a physician’s individual
169 profile record of any criminal conviction or charge for a felony or serious misdemeanor, final
170 disciplinary action by a licensing board in another state or a medical malpractice court judgment,
171 arbitration award or settlement that resulted from providing or assisting in the provision of
172 reproductive health care services or gender-affirming health care services or for any judgment,
173 discipline or other sanction arising from such health care services if the services as provided
174 would have been lawful and consistent with good medical practice if they occurred entirely in
175 the commonwealth. The board shall not take adverse action on an application for registration of a
176 qualified physician based on a criminal or civil action, disciplinary action by a licensing board of
177 another state or a medical malpractice claim in another state arising from the provision of
178 reproductive health care services or gender-affirming health care services that, as provided,
179 would have been lawful and consistent with good medical practice if they occurred entirely in
180 the commonwealth.

181 Nothing in this section shall be construed to regulate the practice of medicine in any other
182 state.

183 SECTION 9. Section 9H of said chapter 112, as appearing in the 2020 Official Edition, is
184 hereby amended by inserting after the word “sections”, in line 4, the following words:- ;
185 provided, however, that notwithstanding any general or special law to the contrary, no person

186 shall be subject to discipline by the board, including the revocation, suspension or cancellation of
187 the certificate of registration or reprimand, censure or monetary fine, for providing or assisting in
188 the provision of reproductive health care services or gender-affirming health care services, as
189 those terms are defined in section 11I½ of chapter 12, or for any judgment, discipline or other
190 sanction arising from such health care services if the services as provided would have been
191 lawful and consistent with the standards of conduct for physician assistants if they occurred
192 entirely in the commonwealth; provided further, that the board shall not take adverse action on
193 an application for registration of a qualified physician assistant based on a criminal or civil
194 action or disciplinary action by a licensing board of another state that arises from such health
195 care services that, as provided, would have been lawful and consistent with the standards of
196 conduct for physician assistants if they occurred entirely in the commonwealth.

197 Nothing in this section shall be construed to regulate the practice of physician assistants
198 in any other state.

199 SECTION 10. Section 12N of said chapter 112, as so appearing, is hereby amended by
200 inserting after the word “a”, in line 7, the following words:- severe or.

201 SECTION 11. Said section 12N of said chapter 112, as so appearing, is hereby further
202 amended by adding the following sentence:- The department of public health shall promulgate
203 regulations to implement this section.

204 SECTION 12. Section 32 of said chapter 112, as so appearing, is hereby amended by
205 striking out, in lines 6 and 7, the words “one hundred and thirty-eight” and inserting in place
206 thereof the following words:- 138; provided, however, that notwithstanding any general or
207 special law to the contrary, no person, pharmacy or pharmacy department shall be subject to

208 discipline by the board, including the revocation, suspension or cancellation of the certificate of
209 registration or reprimand, censure or monetary fine, for providing or assisting, including
210 dispensing of medication, in the provision of reproductive health care services or gender-
211 affirming health care services, as those terms are defined in section 11I½ of chapter 12, or for
212 any judgment, discipline or other sanction arising from such health care services if the services
213 as provided would have been lawful and consistent with the code of professional conduct for
214 pharmacists if they occurred entirely in the commonwealth; provided further, that the board shall
215 not take adverse action on an application for registration of a qualified pharmacist based on a
216 criminal or civil action or disciplinary action by a licensing board of another state that arises
217 from such health care services, including the dispensing of medication, that, as provided, would
218 have been lawful and consistent with the code of professional conduct for pharmacists if they
219 occurred entirely in the commonwealth.

220 Nothing in this section shall be construed to regulate the practice of pharmacists in any
221 other state.

222 SECTION 13. Section 77 of said chapter 112, as so appearing, is hereby amended by
223 adding the following paragraph:-

224 Notwithstanding any general or special law to the contrary, no person shall be subject to
225 discipline by the board, including the revocation, suspension or cancellation of the certificate of
226 registration or reprimand, censure or monetary fine, for providing or assisting in the provision of
227 reproductive health care services or gender-affirming health care services, as those terms are
228 defined in section 11I½ of chapter 12, or for any judgment, discipline or other sanction arising
229 from such health care services if the services as provided would have been lawful and consistent

230 with the standard of conduct for nurses if they occurred entirely in the commonwealth. The board
231 shall not take adverse action on an application for registration of a qualified nurse based on a
232 criminal or civil action or disciplinary action by a licensing board of another state that arises
233 from such health care services that, as provided, would have been lawful and consistent with the
234 standard of conduct for nurses if they occurred entirely in the commonwealth.

235 Nothing in this section shall be construed to regulate the practice of nursing in any other
236 state.

237 SECTION 14. Section 128 of said chapter 112, as so appearing, is hereby amended by
238 inserting after the word “inclusive”, in line 4, the following words:- ; provided, however, that
239 notwithstanding any general or special law to the contrary, no person shall be subject to
240 discipline by the board, including the revocation, suspension or cancellation of the certificate of
241 registration or reprimand, censure or monetary fine, for providing or assisting in the provision of
242 reproductive health care services or gender-affirming health care services, as those terms are
243 defined in section 11I½ of chapter 12, or for any judgment, discipline or other sanction arising
244 from such health care services if the services as provided would have been lawful and consistent
245 with the standard of conduct adopted by the board by regulation if they occurred entirely in the
246 commonwealth; provided further, that the board shall not take adverse action on an application
247 for registration of a qualified psychologist based on a criminal or civil action or disciplinary
248 action by a licensing board of another state that arises from such health care services that, as
249 provided, would have been lawful and consistent with the standard of conduct adopted by the
250 board by regulation if they occurred entirely in the commonwealth.

251 Nothing in this section shall be construed to regulate the practice of psychology in any
252 other state.

253 SECTION 15. Section 137 of said chapter 112, as so appearing, is hereby amended by
254 inserting after the word “practice”, in line 8, the following words:- ; provided, however, that
255 notwithstanding any general or special law to the contrary, no person shall be subject to
256 discipline by the board, including the revocation, suspension or cancellation of the certificate of
257 registration or reprimand, censure or monetary fine, for providing or assisting in the provision of
258 reproductive health care services or gender-affirming health care services, as those terms are
259 defined in section 11I½ of chapter 12, or for any judgment, discipline or other sanction arising
260 from such health care services if the services as provided would have been lawful and consistent
261 with the standards of professional practice and conduct for social workers if they occurred
262 entirely in the commonwealth; provided further, that the board shall not take adverse action on
263 an application for registration of a qualified social worker based on a criminal or civil action or
264 disciplinary action by a licensing board of another state that arises from such health care services
265 that, as provided, would have been lawful and consistent with the standards of professional
266 practice and conduct for social workers if they occurred entirely in the commonwealth.

267 Nothing in this section shall be construed to regulate the practice of social work in any
268 other state.

269 SECTION 16. Section 10A of chapter 118E of the General Laws, as so appearing, is
270 hereby amended by inserting after the words “coverage for”, in line 1, the following words:-
271 abortion, as defined in section 12K of chapter 112, abortion-related care,.

272 SECTION 17. Said section 10A of said chapter 118E, as so appearing, is hereby further
273 amended by adding the following 2 paragraphs:-

274 Coverage provided under this section for abortion or abortion-related care shall not be
275 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

276 Coverage offered under this section for abortion or abortion-related care shall not impose
277 unreasonable restrictions or delays in the coverage.

278 Benefits for an enrollee under this section shall be the same for the enrollee's covered
279 spouse and covered dependents.

280 SECTION 18. Chapter 147 of the General Laws is hereby amended by adding the
281 following section:-

282 Section 63. (a) As used in this section, the following words shall have the following
283 meanings unless the context clearly requires otherwise:

284 "Law enforcement agency of the commonwealth", any state, municipal, college or
285 university police department, sheriff's department, correctional facility, prosecutorial office,
286 court, probation office, or a program of more than 1 of any such entity, or any other non-federal
287 entity in the commonwealth charged with the enforcement of laws or the custody of detained
288 persons.

289 (b) Notwithstanding any general or special law to the contrary, and except as required by
290 federal law, no officer or employee of a law enforcement agency of the commonwealth, while
291 acting under color of law, shall provide information or assistance to a federal law enforcement
292 agency or any other state's law enforcement agency or any private citizen or quasi-law

293 enforcement agent in relation to an investigation or inquiry into services constituting legally-
294 protected health care activity, as defined in section 11I½ of chapter 12, if such services would be
295 lawful as provided if they occurred entirely in the commonwealth.

296 SECTION 19. Section 47F of chapter 175 of the General Laws, as appearing in the 2020
297 Official Edition, is hereby amended by inserting after the word “of”, in line 20, the following
298 words:- abortion, as defined in section 12K of chapter 112, abortion-related care,.

299 SECTION 20. Said section 47F of said chapter 175, as so appearing, is hereby further
300 amended by inserting after the third paragraph the following 3 paragraphs:-

301 Coverage provided under this section for abortion or abortion-related care shall not be
302 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

303 Coverage offered under this section for abortion or abortion-related care shall not impose
304 unreasonable restrictions or delays in the coverage.

305 Benefits for an enrollee under this section shall be the same for the enrollee’s covered
306 spouse and covered dependents.

307 A policy of accident and sickness insurance that is purchased by an employer that is a
308 church or qualified church-controlled organization, as those terms are defined in subsection (j) of
309 section 47W, shall be exempt from covering abortion or abortion-related care at the request of
310 the employer. An employer that invokes the exemption under this section shall provide written
311 notice to prospective enrollees prior to enrollment with the plan and such notice shall list the
312 health care methods and services for which the employer will not provide coverage for religious
313 reasons.

314 SECTION 21. Section 193U of said chapter 175, as so appearing, is hereby amended by
315 inserting after the word “specialty”, in line 14, the following words:- ; provided further, that no
316 medical malpractice insurer shall discriminate against a provider or adjust or otherwise calculate
317 a provider’s risk classification or premium charges on the basis that: (i) the health care provider
318 offers or provides reproductive health care services or gender-affirming health care services, as
319 those terms are defined in section 11I½ of chapter 12; (ii) the specific services offered or
320 provided in connection with reproductive health care services or gender-affirming health care
321 services are unlawful in another state; (iii) another state’s laws create potential or actual liability
322 for those services; or (iv) litigation against a provider concerning reproductive health care
323 services or gender-affirming health care services resulted in a judgment against the provider, if
324 such health care services would be lawful and consistent with good medical practice as provided,
325 if they occurred entirely in the commonwealth.

326 SECTION 22. Section 8H of chapter 176A of the General Laws, as so appearing, is
327 hereby amended by inserting after the words “expense for”, in line 8, the following words:-
328 abortion, as defined in section 12K of chapter 112, abortion-related care,.

329 SECTION 23. Said section 8H of said chapter 176A, as so appearing, is hereby further
330 amended by striking out, in lines 9 and 10, the words “to the same extent that benefits are
331 provided for medical conditions not related to pregnancy”.

332 SECTION 24. Said section 8H of said chapter 176A, as so appearing, is hereby further
333 amended by inserting after the third paragraph the following 3 paragraphs:-

334 Coverage provided under this section for abortion or abortion-related care shall not be
335 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

336 Coverage offered under this section for abortion or abortion-related care shall not impose
337 unreasonable restrictions or delays in the coverage.

338 Benefits for an enrollee under this section shall be the same for the enrollee's covered
339 spouse and covered dependents.

340 A policy of accident and sickness insurance that is purchased by an employer that is a
341 church or qualified church-controlled organization, as those terms are defined in subsection (j) of
342 section 8W of this chapter, shall be exempt from covering abortion or abortion-related care at the
343 request of the employer. An employer that invokes the exemption under this subsection shall
344 provide written notice to prospective enrollees prior to enrollment with the plan and such notice
345 shall list the health care methods and services for which the employer will not provide coverage
346 for religious reasons.

347 SECTION 25. Section 4H of chapter 176B of the General Laws, as so appearing, is
348 hereby amended by inserting after the words "expense for", in lines 7 and 8, the following
349 words:- abortion, as defined in section 12K of chapter 112, abortion-related care,.

350 SECTION 26. Said section 4H of said chapter 176B, as so appearing, is hereby further
351 amended by striking out, in lines 8 to 10, inclusive, the words "to the same extent that benefits
352 are provided for medical conditions not related to pregnancy".

353 SECTION 27. Said section 4H of said chapter 176B, as so appearing, is hereby further
354 amended by inserting after the third paragraph the following 3 paragraphs:-

355 Coverage provided under this section for abortion or abortion-related care shall not be
356 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

357 Coverage offered under this section for abortion or abortion-related care shall not impose
358 unreasonable restrictions or delays in the coverage.

359 Benefits for an enrollee under this section shall be the same for the enrollee's covered
360 spouse and covered dependents.

361 A policy of accident and sickness insurance that is purchased by an employer that is a
362 church or qualified church-controlled organization, as those terms are defined in subsection (j) of
363 section 4W, shall be exempt from covering abortion or abortion-related care at the request of the
364 employer. An employer that invokes the exemption under this subsection shall provide written
365 notice to prospective enrollees prior to enrollment with the plan and such notice shall list the
366 health care methods and services for which the employer will not provide coverage for religious
367 reasons.

368 SECTION 28. Section 4I of chapter 176G of the General Laws, as so appearing, is hereby
369 amended by inserting after the words "coverage for", in lines 1 and 2, the following words:-
370 abortion, as defined in section 12K of chapter 112, abortion-related care,.

371 SECTION 29. Said section 4I of said chapter 176G, as so appearing, is hereby further
372 amended by inserting after the second paragraph the following 3 paragraphs:-

373 Coverage provided under this section for abortion or abortion-related care shall not be
374 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

375 Coverage offered under this section for abortion or abortion-related care shall not impose
376 unreasonable restrictions or delays in the coverage.

377 Benefits for an enrollee under this section shall be the same for the enrollee's covered
378 spouse and covered dependents.

379 A health maintenance contract that is purchased by an employer that is a church or
380 qualified church-controlled organization, as those terms are defined in subsection (j) of section
381 4O, shall be exempt from covering abortion or abortion-related care at the request of the
382 employer. An employer that invokes the exemption under this subsection shall provide written
383 notice to prospective enrollees prior to enrollment with the plan and such notice shall list the
384 health care methods and services for which the employer will not provide coverage for religious
385 reasons.

386 SECTION 30. Section 4A of chapter 218 of the General Laws, as so appearing, is hereby
387 amended by inserting after the word "filing", in line 20, the following words:- ; provided further,
388 that, except as required by federal law, a judgment creditor shall not file a copy of any foreign
389 judgment under this section if the judgment was issued in connection with any litigation
390 concerning legally-protected health care activity, as defined in section 11I½ of chapter 12.

391 SECTION 31. Subsection (g) of said section 4A of said chapter 218, as so appearing, is
392 hereby amended by adding the following sentence:- In any action filed to enforce a judgment
393 issued in connection with any litigation concerning legally-protected health care activity, as
394 defined in section 11I½ of chapter 12, the court in the commonwealth hearing the action shall not
395 give any force or effect to any judgment issued without jurisdiction.

396 SECTION 32. Section 11 of chapter 223A of the General Laws, as so appearing, is
397 hereby amended by adding the following paragraph:-

398 Notwithstanding any other provision of this section to the contrary and except as required
399 by federal law, a court of this commonwealth shall not order a person who is domiciled or found
400 within this commonwealth to give testimony or statement or produce documents or other things
401 for use in connection with any proceeding in a tribunal outside the commonwealth concerning
402 legally-protected health care activity, as defined in section 11I½ of chapter 12.

403 SECTION 33. Section 59H of chapter 231 of the General Laws, as so appearing, is
404 hereby amended by inserting after the word “case”, in line 1, the following words:- , except a
405 case brought pursuant to section 11I½ of chapter 12,.

406 SECTION 34. Section 13A of chapter 233 of the General Laws, as so appearing, is
407 hereby amended by inserting after the word “summons”, in line 32, the following words:- ,
408 except that no justice or special justice shall issue a summons in a case, except as required by
409 federal law, where prosecution is pending concerning legally-protected health care activity, as
410 defined in section 11I½ of chapter 12, or where a grand jury investigation concerning legally-
411 protected health care activity has commenced or is about to commence for a criminal violation of
412 a law of such other state unless the acts forming the basis of the prosecution or investigation
413 would also constitute an offense if occurring entirely in the commonwealth.

414 SECTION 35. Section 21A of chapter 272 of the General Laws, as so appearing, is
415 hereby amended by striking out the fourth sentence and inserting in place thereof the following
416 sentence:- This section shall not be construed to permit the sale or dispensing of prescription
417 drugs or devices for the prevention of pregnancy or conception by a vending machine or similar
418 device.

419 SECTION 36. Section 13 of chapter 276 of the General Laws, as so appearing, is hereby
420 amended by striking out the first paragraph and inserting in place thereof the following 2
421 paragraphs:-

422 The governor may also surrender, on demand of the executive authority of any other
423 state, any person in the commonwealth charged in such other state in the manner provided in
424 section 14 with committing an act in this commonwealth, or in a third state, intentionally
425 resulting in a crime in the state whose executive authority is making the demand, hereafter in this
426 section and in sections 14 to 20P, inclusive, referred to as the demanding state, only when the
427 acts for which extradition is sought would be punishable by the laws of the commonwealth if the
428 consequences claimed to have resulted therefrom in the demanding state had taken effect in this
429 commonwealth and the provisions of sections 11 to 20R, inclusive, not otherwise inconsistent
430 shall apply to such cases even though the accused was not in the demanding state at the time of
431 the commission of the crime and has not fled therefrom; provided, however, that the governor
432 may, in the governor's discretion, make any such surrender conditional upon agreement by the
433 executive authority of the demanding state that the person so surrendered will be held to answer
434 no criminal charges of any nature except those set forth in the requisition upon which such
435 person is so surrendered, at least until such person has been given reasonable opportunity to
436 return to the commonwealth after the person's acquittal, if the person shall be acquitted, or after
437 the person shall be released from confinement, if the person shall be convicted.

438 Except as required by federal law, the governor shall not surrender a person charged in
439 another state as a result of engaging in legally-protected health care activity, as defined in section
440 11I½ of chapter 12, unless the executive authority of the demanding state shall allege in writing

441 that the accused was physically present in the demanding state at the time of the commission of
442 the alleged offense and that thereafter the accused fled from the demanding state.

443 SECTION 37. Section 14 of said chapter 276, as so appearing, is hereby amended by
444 inserting the after word “state”, in line 7, the following words:- only when the acts for which the
445 demand for interstate rendition is sought would be punishable by the laws of the commonwealth,
446 if the consequences claimed to have resulted therefrom in the demanding state had taken effect in
447 this commonwealth.

448 SECTION 38. Section 20A of said chapter 276, as so appearing, is hereby amended by
449 inserting after the word “thirteen”, in lines 5 and 12 and 13, the following words:- , with the
450 exception of cases for which the governor shall not surrender a person under said section 13.

451 SECTION 39. Section 20B of said chapter 276, as so appearing, is hereby amended by
452 adding the following sentence:- This section shall not apply to cases arising under section 13 for
453 which the governor shall not surrender a person.

454 SECTION 40. Section 20C of said chapter 276, as so appearing, is hereby amended by
455 inserting after the word “thirteen”, in line 4, the following words:- , with the exception of cases
456 for which the governor shall not surrender a person under said section 13.

457 SECTION 41. Sections 5, 6, 16, 17, 19, 20, 22 to 29, inclusive, shall apply to all policies,
458 contracts and certificates of health insurance subject to chapters 32A, 118E, 175, 176A, 176B
459 and 176G of the General Laws that are delivered, issued or renewed 6 months from the effective
460 date of this act.

461 SECTION 42. (a) Regulations required pursuant to section 12N of chapter 112 of the
462 General Laws, as inserted by section 11, shall not delay the implementation of said section 12N
463 of said chapter 112, including any changes in section 10, and shall take effect upon passage.

464 (b) The department of public health shall promulgate regulations required pursuant to
465 section 12N of chapter 112 of the General Laws, as inserted by section 11, not later than January
466 1, 2023.