

SENATE No. 1470

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to require public universities to provide medication abortion.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/23/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/23/2021</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/23/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>3/1/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/1/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/4/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/8/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/8/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>3/23/2021</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>4/13/2021</i>

SENATE No. 1470

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1470) of Jason M. Lewis, Jack Patrick Lewis, Christina A. Minicucci, Mike Connolly and other members of the General Court for legislation to require public universities to provide medication abortion. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3841 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act to require public universities to provide medication abortion.

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

1 SECTION 1. Chapter 15A of the General Laws is hereby amended by adding the
2 following 2 sections:-

3 Section 45. (a) As used in this section and section 46, the following words shall, unless
4 the context clearly requires otherwise, have the following meanings:-

5 “Medical abortion” or “medication abortion”, means abortion provided by medication
6 techniques.

7 “Medical abortion readiness” each individual health center’s preparedness to provide
8 medical abortions, including, but not limited to, having in place equipment, protocols, patient

9 educational materials, and training for staff. “Medical abortion readiness” does not include the
10 provision of medical abortions.

11 “Public university health center” or “health center”, means a clinic or health center
12 providing primary health care services to students operated by any university or college within
13 the system of public institutions of higher education, as listed in section 5 of this chapter.

14 (b) Each public university health center of a university within the University of
15 Massachusetts segment and the state university segment, as listed in section 5, clauses (i) and (ii)
16 of this chapter, shall offer medical abortions to its patients.

17 (c) Each public university health center shall provide referrals for abortion care services
18 not provided in the health center.

19 Section 46. (a) There shall be established and set up on the books of the commonwealth a
20 separate fund to be known as the Public University Health Center Sexual and Reproductive
21 Health Preparation Fund, hereafter called “the fund”, for the purpose of medical abortion
22 readiness. The fund shall be administered by the department of public health, in consultation
23 with the department of higher education. The fund shall be credited with: (i) revenue from
24 appropriations or other money authorized by the general court and specifically designated to be
25 credited to the fund; and (ii) funds from non-state entities, including, but not limited to gifts,
26 grants and donations from private entities and local and federal government agencies. Amounts
27 credited to the fund shall not be subject to further appropriation and any money remaining in the
28 fund at the end of a fiscal year shall not revert to the General Fund.

29 (b) The department of public health shall utilize fund moneys to do the following:

30 (1) Provide, subject to available funding, a grant of no less than \$200,000 to each public
31 university health center to pay for the cost, both direct and indirect, of medical abortion
32 readiness. The department shall prioritize funds to the University of Massachusetts and state
33 universities and create a simple application process for community colleges, as listed in section 5
34 of this chapter, to apply for funding. Allowable expenses under these grants include, but are not
35 limited to, the following: (i) the purchase of equipment used in the provision of medical
36 abortions; (ii) facility and security upgrades; (iii) costs associated with enabling the health center
37 to deliver telehealth services; (iv) costs associated with training staff in the provision of medical
38 abortions; (v) staff cost reimbursement and clinical revenue offset while staff are in trainings;
39 and (vi) billing specialist consultation.

40 (2) Provide, subject to available funding, a grant to the University of Massachusetts to
41 establish 24-hour, backup medical support by telephone to patients who have obtained a medical
42 abortion at any public university health center;

43 (3) Pay the costs of the department of public health, both direct and indirect, associated
44 with administration of the fund, including the costs of hiring staff.

45 (4) Maintain a system of financial reporting on all aspects of the fund.

46 (c) Each public university student health center grantee shall, as a condition of receiving
47 a grant award from the fund, participate in an evaluation of its medical abortion readiness and its
48 provision of medical abortions.

49 (d) Nothing in this section or section 45 shall be interpreted as requiring a university or
50 college to utilize its general fund moneys or student fees for medical abortion readiness before
51 January 1, 2026.

52 (e) The department of public health, working with the public university health centers,
53 shall assist and advise on potential pathways for their health centers to access public and private
54 payers to provide funding for ongoing costs of providing medical abortions.

55 SECTION 2. (a) On or before December 31, 2022, and on or before December 31 of each
56 year thereafter until December 31, 2026, the department of public health shall submit a report to
57 the clerks of the house of representatives and the senate, including, but not necessarily limited to,
58 all of the following information for each reporting period:

59 (i) the number of universities or colleges within the system of public institutions of higher
60 education that operate a public university health center, as defined in section 45 of chapter 15A
61 of the General Laws.

62 (ii) the number of medical abortions provided at public university health centers,
63 disaggregated, to the extent possible, by the public university health center.

64 (iii) the total amount of funds granted by the department of public health to the university
65 or college and its respective public university health center pursuant to section 46 of chapter 15A
66 of the General Laws that is expended on medical abortion readiness, as that term is defined in
67 section 45 of said chapter 15A, and, separately, the total amount of any other funds expended on
68 medical abortion readiness and the source of those funds, disaggregated by function and, to the
69 extent possible, disaggregated by health center.

70 (iv) the total amount of funds expended on the provision of medical abortions and the
71 source of those funds, disaggregated by function and, to the extent possible, disaggregated by
72 health center.

73 (b) The reports required in subsection (a), and any associated data collection, shall be
74 conducted in accordance with state and federal privacy law, including, but not necessarily
75 limited to, section 70E of chapter 111 of the General Laws, the federal Family Educational
76 Rights and Privacy Act of 1974, 20 U.S.C. section 1232g, and the federal Health Insurance
77 Portability and Accountability Act of 1996, Public Law 104-191.

78 SECTION 3. Section 45, subsection (b) of the General Laws shall take effect on January
79 1, 2026.