
OLR Bill Analysis

sHB 5261

AN ACT INCREASING ACCESS TO REPRODUCTIVE HEALTH CARE.

SUMMARY

This bill allows advanced practice registered nurses (APRNs), nurse-midwives, and physician assistants (PAs) to perform aspiration abortions (the most common type of abortion during the first trimester). The bill also explicitly authorizes these providers to perform medication abortions, which conforms to existing practice resulting from a 2001 attorney general opinion (see BACKGROUND). Under the bill, as under existing law, physicians may perform any type of abortion.

The bill correspondingly specifies that someone's decision to terminate a pregnancy before the viability of the fetus must be made solely by that patient in consultation with the patient's physician, APRN, nurse-midwife, or PA, not just the patient and physician as under current law.

Under existing law, unchanged by the bill, an abortion may not be performed after the viability of the fetus except when needed to preserve the pregnant patient's life or health.

The bill also makes technical changes to terminology.

EFFECTIVE DATE: October 1, 2022

BACKGROUND

Attorney General Opinion

Existing state regulations only expressly allow physicians to perform abortions (Conn. Agencies Reg., § 19-13-D54(a)). However, in a 2001 opinion (2001-15), Connecticut's attorney general concluded that this restriction only applied to surgical abortions, and that state statutes authorizing APRNs, nurse-midwives, and PAs to prescribe drugs

authorized them, under certain conditions, to dispense or administer a drug that would medically terminate a pregnancy.

Related Resolution

SJ 30 (File 389), reported favorably by the Government Administration and Elections Committee, proposes a constitutional amendment that prohibits any laws infringing the right of personal reproductive autonomy unless justified by a compelling state interest achieved by the least restrictive means.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 22 Nay 7 (03/25/2022)