



General Assembly

January Session, 2023

Raised Bill No. 6820

LCO No. 4889



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT PREVENTING AN ADVERSE ACTION AGAINST A HEALTH CARE PROVIDER DUE TO AN ADVERSE ACTION TAKEN BY ANOTHER STATE AS A RESULT OF SUCH PROVIDER'S INVOLVEMENT IN THE TERMINATION OF A PREGNANCY.

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

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section, (1)
2 "health care provider" means a person licensed pursuant to title 20 of
3 the general statutes who provides reproductive health care services, and
4 (2) "reproductive health care services" has the same meaning as
5 provided in section 52-571m of the general statutes.

6 (b) The Commissioners of Public Health and Consumer Protection
7 shall not revoke, suspend, reprimand, penalize, refuse to issue or renew
8 or take any other adverse action against a health care provider based
9 solely upon the health care provider providing, authorizing,
10 recommending, aiding, assisting, referring for or otherwise
11 participating in the provision of reproductive health care services,
12 provided such services were otherwise performed in accordance with
13 the laws of this state and regardless of whether the patient receiving
14 such services was a resident of this state.

15 (c) The Commissioners of Public Health and Consumer Protection
16 shall not revoke, suspend, reprimand, penalize, refuse to issue or renew
17 or take any other adverse action against a health care provider based on
18 the revocation or suspension of the health care provider's license or any
19 other form of discipline imposed on the health care provider that was
20 based solely on the health care provider violating another state's laws
21 prohibiting the provision of, authorization of, recommendation of,
22 aiding or assisting in, referring for or participation in the provision of
23 reproductive health care services.

24 (d) The provisions of subsections (a) and (b) of this section shall not
25 be construed to prevent the Commissioner of Public Health or the
26 Commissioner of Consumer Protection, as applicable, from disciplining
27 a health care provider for care provided that would otherwise constitute
28 dishonorable, unethical or unprofessional conduct, immoral conduct or
29 gross negligence.

30 (e) An applicant seeking licensure under title 20 of the general
31 statutes, who has been subject to disciplinary action by a duly
32 authorized professional disciplinary agency of another jurisdiction
33 solely on the basis of having provided, authorized, recommended,
34 aided, assisted, referred for or otherwise participated in the provision of
35 reproductive health care services, shall not be denied licensure unless
36 the Commissioner of Public Health or the Commissioner of Consumer
37 Protection, as applicable, determines that such action would have
38 constituted professional misconduct in this state. The provisions of this
39 subsection shall not be construed to prohibit the Commissioner of Public
40 Health or the Commissioner of Consumer Protection from evaluating
41 the conduct of such an applicant and making a determination regarding
42 licensure.

43 Sec. 2. (NEW) (*Effective from passage*) (a) As used in this section, (1)
44 "credentialing" means the process of assessing and validating the
45 qualifications of a health care provider applying to be approved to
46 provide treatment, care or services in or for an institution, (2) "health
47 care provider" means a person licensed pursuant to title 20 of the general

48 statutes who provides reproductive health care services, (3) "institution"
49 has the same meaning as provided in section 19a-490 of the general
50 statutes, (4) "privileging" means the process of authorizing a health care
51 provider to provide specific treatment, care or services at an institution,
52 and (5) "reproductive health care services" has the same meaning as
53 provided in section 52-571m of the general statutes.

54 (b) An institution shall not revoke, suspend, reprimand, penalize,
55 refuse to issue or renew credentials or privileges or take any other
56 adverse action against a health care provider with respect to
57 credentialing or privileging based solely upon the health care provider
58 providing, authorizing, recommending, aiding, assisting, referring for
59 or otherwise participating in the provision of reproductive health care
60 services, provided such services were otherwise performed in
61 accordance with the laws of this state and regardless of whether the
62 patient receiving such services was a resident of this state.

63 (c) An institution shall not revoke, suspend, reprimand, penalize,
64 refuse to issue or renew credentials or privileges or take any other
65 adverse action against a health care provider based on the revocation or
66 suspension of the health care provider's license or any other form of
67 discipline imposed on the health care provider that was based solely on
68 the health care provider violating another state's laws prohibiting the
69 provision of, authorization of, recommendation of, aiding or assisting
70 in, referring for or participation in the provision of reproductive health
71 care services.

72 (d) The provisions of subsections (a) and (b) of this section shall not
73 be construed to prevent an institution from disciplining a health care
74 provider for care provided that would otherwise constitute
75 dishonorable, unethical or unprofessional conduct, immoral conduct or
76 gross negligence.

77 Sec. 3. (NEW) (*Effective from passage*) (a) As used in this section, (1)
78 "health care provider" means a person licensed pursuant to title 20 of
79 the general statutes who provides reproductive health care services, (2)

80 "insurer" means an insurer that insures a health care provider against
81 professional liability, and (3) "reproductive health care services" has the
82 same meaning as provided in section 52-571m of the general statutes.

83 (b) An insurer shall not take any adverse action, including, but not
84 limited to, denial or revocation of coverage, sanctions, fines, penalties or
85 rate increases against a health care provider, if such action is based
86 solely on the health care provider providing, authorizing,
87 recommending, aiding, assisting, referring for or otherwise
88 participating in the provision of reproductive health care services in
89 violation of another state's law, or a revocation or other adverse action
90 against a health care provider's license in another state for violation of
91 such law.

92 (c) An insurer shall not take any adverse action, including, but not
93 limited to, denial or revocation of coverage, sanctions, fines, penalties or
94 rate increases against a health care provider as a result of an adverse
95 action against a health care provider's license from another state,
96 including, but not limited to, revocation or suspension of the license or
97 other disciplinary action by another state that resulted from a health
98 care provider's provision of, authorization of, recommendation of,
99 aiding or assistance with, referral for or participation in the provision of
100 reproductive health care services, if the adverse action was based solely
101 on a violation of the other state's law prohibiting the provision of
102 reproductive health care services in the state.

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

Statement of Purpose:

To prevent (1) the Commissioners of Public Health and Consumer Protection, (2) health care institutions, and (3) medical malpractice insurers from taking any adverse action against a health care provider

due to an adverse action taken by another state as a result of such provider's provision of reproductive health care services.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]