

HOUSE No. 3841

The Commonwealth of Massachusetts

PRESENTED BY:

Lindsay N. Sabadosa

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:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/18/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/27/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/28/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>1/30/2019</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>5/21/2019</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/1/2019</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>1/31/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/31/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/1/2019</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/29/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>5/21/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>5/24/2019</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>5/24/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>5/24/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>5/24/2019</i>

HOUSE No. 3841

By Ms. Sabadosa of Northampton, a petition (accompanied by bill, House, No. 3841) of Lindsay N. Sabadosa and others relative to medical abortion or medication abortion at health centers at public institutions of higher education. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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 “Commission”, the commission on the status of women established pursuant to section
6 66 of chapter 3.

7 “Medical abortion” or “medication abortion” , an abortion procedure that is not a surgical
8 procedure and that utilizes a prescription drug or medication technique to induce an abortion.

9 “Medical abortion readiness”, includes, but is not limited to, assessment of each
10 individual health center to determine facility and training needs before beginning to provide
11 medical abortions, purchasing equipment, making facility improvements, establishing protocols,

12 creating patient educational materials, and training staff. “Medical abortion readiness” does not
13 include the provision of medical abortions.

14 “Public university health center” or “health center”, means a clinic or health center
15 providing primary health care services to students operated by a university or college within the
16 system of public institutions of higher education.

17 “Public University Health Center Sexual and Reproduction Health Preparation Fund”, the
18 fund established pursuant to subsection (a) of section 46.

19 (b) On and after January 1, 2022, each public university health center shall offer medical
20 abortions to its patients.

21 Section 46. (a) There shall be established and set up on the books of the commonwealth a
22 separate fund to be known as the Public University Health Center Sexual and Reproduction
23 Health Preparation Fund for medical abortion readiness. The fund shall be administered by the
24 commission on the status of women established pursuant to section 66 of chapter 3. The fund
25 shall be credited with: (i) revenue from appropriations or other money authorized by the general
26 court and specifically designated to be credited to the fund; and (ii) funds from non-state entities,
27 including, but not gifts, grants and donations from private entities and local and federal
28 government agencies. Amounts credited to the fund shall not be subject to further appropriation
29 and any money remaining in the fund at the end of a fiscal year shall not revert to the General
30 Fund.

31 (b) The commission shall utilize fund moneys to do all of the following:

32 (1) Provide, subject to available funding, a grant of \$200,000 to each public university
33 health center to pay for the cost, both direct and indirect, of medical abortion readiness.

34 Allowable expenses under these grants include, but are not limited to, the following:

35 (i) the purchase of equipment used in the provision of medical abortions;

36 (ii) facility and security upgrades;

37 (iii) costs associated with enabling the health center to deliver telehealth services;

38 (iv) costs associated with training staff in the provision of medical abortions; and

39 (v) staff cost reimbursement and clinical revenue offset while staff are in trainings.

40 (2) Provide, subject to available funding, a grant of \$200,000 to any university or college
41 operating a health center, to pay for the cost, both direct and indirect, of the following, for each
42 university or college:

43 (i) providing 24-hour, backup medical support by telephone to patients who have
44 obtained a medical abortion at a public university health center;

45 (ii) one-time fees associated with establishing a corporate account to provide telehealth
46 services; and

47 (iii) billing specialist consultation.

48 (3) Paying the costs of the commission, both direct and indirect, associated with
49 administration of the fund, including the costs of hiring staff, not to exceed \$2,400,000.

50 (4) Maintaining a system of financial reporting on all aspects of the fund.

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

54 (d) Nothing in this section or section 45 shall be interpreted as requiring a university or
55 college from utilizing its general fund moneys or student fees for medical abortion readiness
56 before January 1, 2022.

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

60 SECTION 2. (a) On or before December 31, 2020, and on or before December 31 of each
61 year thereafter until December 31, 2025, the commission on the status of women shall submit a
62 report to the clerks of the house or representatives and the senate, including, but not necessarily
63 limited to, all of the following information for each reporting period:

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

67 (ii) the number of medical abortions performed at a public university health center,
68 disaggregated, to the extent possible, by the public university health center.

69 (iii) the total amount of funds granted by the commission to the university or college and
70 its respective public university health center pursuant to section 46 of chapter 15A of the General
71 Laws that is expended on medical abortion readiness, as that term is defined in section 45 of said

72 chapter 15A, and, separately, the total amount of any other funds expended on medical abortion
73 readiness and the source of those funds, disaggregated by function and, to the extent possible,
74 disaggregated by health center.

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

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

83 SECTION 3. Section 46 of chapter 15A of the General Laws, inserted by section 1, is
84 hereby repealed.

85 SECTION 4. Section 3 shall take effect on January 1, 2022; provided, however, that if
86 the funding requirements provided in said paragraphs (1) and (2) of subsection (b) of section 46
87 of chapter 15A of the General Laws have been fully satisfied as of January 1, 2022, any funds
88 remaining in the Public University Health Center Sexual and Reproduction Health Preparation
89 Fund established in section 46 of chapter 15A of the General Laws shall be transferred to the
90 General Fund; provided further, that if such funding requirements have not been satisfied as of
91 January 1, 2022 then 50 per cent of the funds remaining in said fund shall be allocated equally
92 among each public university health center for the purposes set forth in said paragraph (1) and 50

- 93 per cent of the funds remaining in said fund shall be allocated equally among each university or
- 94 college operating such a health center for the purposes set forth in said paragraph (2).