

**JOINT COMMITTEE ON FINANCIAL SERVICES
2025-2026 (194th) BILL SUMMARY**

Bill No: H1308

Title: AN ACT RELATIVE TO PROTECTING REPRODUCTIVE DESTINY

Sponsor(s): Rep. Lindsay N. Sabadosa (*Northampton*), Natalie M. Higgins (*Leominster*)

Hearing Date: September 17, 2025

Reporting Deadline: November 16, 2025

Prior History:

2023-24 (H1138): Ordered to a House Study

Similar Matters: None

CURRENT LAW:

M.G.L. c. 12 Department of the Attorney General, and the District Attorneys, §12W

A physician will not perform, except in an emergency, an operation which is intended to result in the sterilization of an individual without knowledgeable consent in writing from the individual.

A physician who performs such an operation without such consent will be punished by a fine up to ten thousand dollars.

M.G.L. c. 118E Division of Medical Assistance (MassHealth), §10N:

Urgent care facilities; referrals; primary care providers

M.G.L. c. 190B Massachusetts Uniform Probate Code § 1-404. [Guardian Ad Litem and Next Friend.]

If, in a formal proceeding involving trusts or estates of decedents, minors, protected persons or incapacitated persons and in judicially supervised settlements, or otherwise, a minor, a protected person, an incapacitated person or a person not ascertained or not in being may be or may become interested in any property, real or personal or, in the enforcement or defense of any legal rights, the court in which any action, petition or proceeding of any kind relative to or affecting any such estate or legal rights is pending may, upon the representation of any party thereto or of any person interested, appoint a suitable person to appear and act therein as guardian ad litem or next friend of such minor, protected person, incapacitated person or person not ascertained or not in being.

130 CMR 433.457 - Sterilization Services: Informed Consent

A woman covered by MassHealth who wishes to be sterilized must complete the “Consent to Sterilization” section of Medicaid’s Title XIX form at least 30 days, and no more than 180 days, before having the procedure. An emergency waiver requires a 72-hour waiting period.

SUMMARY:

This bill would prohibit forced sterilization by the Commonwealth, including those who are receiving care in state institutions or under guardianships. The bill ensures that voluntary

sterilizations are covered by MassHealth and its contracted insurers, allowing individuals to bypass a 30-day waiting period as long as they complete decision counseling, and provide informed written consent.