

SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO **SENATE, No. 3275**

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 19, 2023

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 3275.

As amended, this bill requires the establishment of a State website providing comprehensive information on reproductive rights under federal and State law, as well as information concerning health benefits coverage for reproductive health care services. As used in the bill, "reproductive health care services" means all medical, surgical, counseling, or referral services relating to the human reproductive system including, but not limited to, services relating to pregnancy, contraception, or termination of a pregnancy.

Specifically, the bill requires that, no later than 180 days after the effective date of the bill, the Commissioner of Health, the Commissioner of Banking and Insurance, the Commissioner of Human Services, and the State Treasurer jointly establish the website, which is to have a unique uniform resource locator (URL) and be separate from the Internet websites of the Department of Health, the Department of Banking and Insurance, the Department of Human Services, and the Department of the Treasury Internet websites. The information provided on the website is to include, but not be limited to, information concerning:

- 1) the right to access and receive emergency reproductive health care services;
- 2) the right to access and use contraception, including, but not limited to, condoms, diaphragms, spermicides, contraceptive vaginal rings, transdermal contraceptive patches, contraceptive hormonal injections, hormonal contraceptive pills, uterine implants, intrauterine devices, and surgical and non-surgical sterilization;
- 3) the right to self-determination concerning the use of contraception, and the right to refuse sterilization;
- 4) the right to access and use prescription and non-prescription medications for reproductive health care;

5) the right to carry a pregnancy to term and the right to terminate a pregnancy, as well as the right to access services related to childbirth and abortion care;

6) the right to access preventative reproductive health care services;

7) the right to receive reproductive health care services regardless of insurance status, along with links to appropriate Internet websites and other resources that can provide assistance in enrolling individuals without insurance or who are underinsured in a health benefits plan or to apply for medical assistance under the Medicaid or NJ FamilyCare programs;

8) a resource page, or a link to a resource website, where patients can locate current, verified reproductive health care providers, including abortion care providers; and

9) information on where and how to file a complaint in the event that an individual's reproductive rights are violated.

The information available on or through the Internet website is to be made available in the 10 languages most commonly spoken in New Jersey. At the discretion of the commissioner and the State Treasurer, the information may be made in such additional languages as they deem appropriate.

In the event the Internet website is not established within 180 days, the Commissioner of Health, the Commissioner of Banking and Insurance, the Commissioner of Human Services, and the State Treasurer will be required to appear before the committee of first reference in which the bill was considered in each House, or before another standing reference committee as may be determined by the Speaker of the General Assembly or the President of the Senate, as appropriate, to explain why the bill has not been implemented in accordance with its provisions, and the steps the commissioners and the State Treasurer are taking to ensure implementation. Thereafter, for such time as the Internet website remains unestablished, the Speaker of the General Assembly and the Senate President will have the authority to require the commissioners and the State Treasurer to appear before any appropriate standing reference committee to explain why the bill has not been implemented and the steps that are being taken to ensure implementation.

COMMITTEE AMENDMENTS:

The committee amendments revise the bill to require that the Internet website to be developed under the bill be jointly developed by the Commissioner of Health, the Commissioner of Banking and Insurance, the Commissioner of Human Services, and the State Treasurer. As introduced, the Department of Health was solely responsible for establishing the website.

The committee amendments add language clarifying that the website is to be a new, unique website independent of any existing State departmental website.

The committee amendments add a definition of “reproductive health care services.”

The committee amendments clarify that the rights enumerated under the bill include the right to access, receive, and use certain services, medications, and treatment related to reproductive health.

The committee amendments add language enumerating the various forms of contraception that are currently available, as well as language referencing the right to self-determination regarding the use of contraception and the right to refuse sterilization.

The committee amendments add language concerning the right to carry a pregnancy to term, along with language referencing the right to services related to childbirth and abortion care.

The committee amendments clarify that the right to health benefits coverage includes the right to receive reproductive health care services regardless of insurance status, and clarifies that the website is to include links to Internet websites and other resources that can provide assistance in enrolling uninsured and underinsured individuals in a health benefits plan or in a medical assistance program.

The committee amendments add a requirement that the Internet website include a resource page, or a link to a resource website, where patients can locate current, verified reproductive health care providers.

The committee amendments require that the information available through the Internet website be made available in the 10 languages most commonly spoken in New Jersey, and in such additional languages as are deemed appropriate.

The committee amendments add a requirement that the heads of the departments responsible for implementing the bill can be required to appear before legislative standing reference committees if the bill is not implemented as directed.

The committee amendments remove a section directing the Department of Health to implement rules and regulations to implement the bill.

The committee amendments make technical changes revising certain terminology to reflect current usage, to clarify that reproductive health rights are gender-neutral, and to clarify certain provisions of the bill.

The committee amendments update the synopsis of the bill to reflect the changes made by committee amendment.