

Chapter 251

(House Bill 477)

AN ACT concerning

Public Senior Higher Education Institutions – Reproductive Health Services Plans – Requirements

FOR the purpose of requiring, on or before a certain date, ~~each~~ certain public senior higher education ~~institution~~ institutions, in consultation with students, to develop and implement a reproductive health services plan; requiring a certain public senior higher education institution, in lieu of developing and implementing a reproductive health services plan, to provide students with access to certain contraception through certain means; requiring the Maryland Department of Health, on request, to provide assistance to a public senior higher education institution in developing the plan; and generally relating to reproductive health services and public senior higher education institutions.

BY adding to

Article – Education

Section 15–136

Annotated Code of Maryland

(2022 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education**15–136.**

(A) (1) IN THIS SECTION, “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION” ~~HAS THE MEANING STATED IN § 10–101 OF THIS ARTICLE~~ MEANS:

(I) THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY SYSTEM OF MARYLAND;

(II) MORGAN STATE UNIVERSITY; AND

(III) ST. MARY’S COLLEGE OF MARYLAND.

(2) “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION” DOES NOT INCLUDE:

(I) THE UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL STUDIES; OR

(II) THE UNIVERSITY OF MARYLAND GLOBAL CAMPUS.

(B) (1) ~~(I) ON EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON~~ OR BEFORE AUGUST 1, 2024, EACH PUBLIC SENIOR HIGHER EDUCATION INSTITUTION, IN CONSULTATION WITH STUDENTS, SHALL DEVELOP AND IMPLEMENT A REPRODUCTIVE HEALTH SERVICES PLAN TO PROVIDE AT THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR TO REFER STUDENTS TO A COMPREHENSIVE RANGE OF REPRODUCTIVE HEALTH SERVICES.

(II) IN LIEU OF DEVELOPING AND IMPLEMENTING A PLAN UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE UNIVERSITY OF BALTIMORE SHALL PROVIDE STUDENTS WITH ACCESS TO OVER-THE-COUNTER CONTRACEPTION THROUGH ON-CAMPUS RETAIL ESTABLISHMENTS OR VENDING MACHINES.

(2) THE PLAN REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) THE PROVISION OF OR REFERRAL TO OFF-CAMPUS SERVICES FOR OBTAINING:

1. ALL METHODS OF FEDERAL FOOD AND DRUG ADMINISTRATION-APPROVED CONTRACEPTION, INCLUDING PRESCRIPTION EMERGENCY CONTRACEPTION;

2. PREVENTION AND TREATMENT SERVICES FOR SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV PREVENTION; AND

3. ABORTION CARE SERVICES;

(II) 24-HOUR ACCESS TO OVER-THE-COUNTER CONTRACEPTION THROUGH THE STUDENT HEALTH CENTER, RETAIL ESTABLISHMENTS ON CAMPUS, OR VENDING MACHINES;

(III) THE AVAILABILITY OF EVIDENCE-BASED REPRODUCTIVE HEALTH EDUCATION SERVICES PROVIDED BY THE STUDENT HEALTH CENTER, PEER EDUCATORS, OR OTHER HEALTH EDUCATION PROGRAMS; AND

(IV) DEVELOPMENT OF A REFERRAL NETWORK OF OFF-CAMPUS REPRODUCTIVE HEALTH SERVICES PROVIDERS, INCLUDING PHARMACIES, LOCATED WITHIN A REASONABLE PROXIMITY TO THE CAMPUS;~~AND~~

~~**(V) ACCESS TO TRANSPORTATION OR OTHER WRAPAROUND SERVICES TO SUPPORT STUDENTS USING OFF-CAMPUS REPRODUCTIVE HEALTH SERVICES.**~~

(3) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION SHALL UPDATE THE REPRODUCTIVE HEALTH SERVICES PLAN DEVELOPED UNDER THIS SUBSECTION EACH YEAR.

(C) THE MARYLAND DEPARTMENT OF HEALTH, ON REQUEST, SHALL PROVIDE ASSISTANCE TO A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION IN DEVELOPING A REPRODUCTIVE HEALTH SERVICES PLAN UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

Approved by the Governor, May 3, 2023.