

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 786
TITLE: Health – Reproductive Health Services – Protected Information and Insurance Requirements
COMMITTEE: Finance
HEARING DATE: March 1, 2023
POSITION: **FAVORABLE**

Senate Bill 786 is aimed at preventing legally protected health care information from being used to instill fear and prosecute patients and providers, rather than further patient health. The Human Trafficking Prevention Project supports this bill because it will put the proper safeguards in place to prevent the exploitation of information and keep patients and providers focused on care. It is essential that HTPP clients, the majority of whom have survived all manner of sexual violence, are able to access reproductive care seamlessly, as access to this type of medical care is often an essential part of their healing.

In the wake of the Supreme Court’s ruling in *Dobbs v. Jackson Whole Women’s Health*, 14 states have already fully or nearly banned abortion, and another ten are expected to do so. Over 300 abortion-related bills have already been filed this year across the country, the majority of which are anti-abortion and include significant criminal penalties for providers of abortion care. The campaign to intimidate providers and patients in Maryland depends upon having access to information about reproductive health care provided in our state. Under electronic health record systems, protected health information – including reproductive health records - flows easily between states. Information sharing is allowed by law if it is related to coordination of care among a patient’s providers. Under most circumstances, care coordination improves the health outcomes of patients. But in the case of reproductive health, information sharing is putting reproductive health providers and patients at great risk.

This legislation provides extra layers of protection for reproductive health information in electronic health record systems, often called health information exchanges. The legislation also ensures Maryland’s state government protects personal information of patients and providers that may be stored in state databases. Reproductive freedom in Maryland depends on making sure we do not expose the personal information of providers *or* patients.

Passage of Senate Bill 786 will ensure that the forced birth ideology of other state governments will not be permitted to dictate the ability of any Marylander to make their own decisions about their bodies or their lives. For trafficking survivors, SB 786 will allow them access to the crucial health care they need and the support they deserve as they work to heal from the trauma of their trafficking experience. For these reasons, the Human Trafficking Prevention Project respectfully urges a favorable report on Senate Bill 786.

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