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To: The Honorable Will Smith
Chair, Senate Judicial Proceedings Committee

From: The Office of the Attorney General

Re: SB0859 – Reproductive Health Protection Act: **Letter of Support**

The Office of the Attorney General writes in strong support of SB0859. As the Committee is aware, a proposed constitutional amendment to enshrine the fundamental right of reproductive freedom in Maryland is also working its way through the General Assembly. The U.S. Supreme Court's decision to roll back reproductive rights has exacerbated the social and political chasm in the country – with states like Maryland where reproductive freedom is protected on one side, and anti-abortion states who are now considering legislation in an attempt to extend the effect of their laws outside their own borders and into protection states, on the other. It is vitally important to those who provide, support, or access reproductive health care in Maryland that we provide in return the highest possible guardrails for their safety and privacy, for otherwise we have provided a right that is merely theoretical rather than substantive.

This bill amends the Courts and Judicial Proceedings and Criminal Procedures articles to resist attempts by anti-abortion states to criminalize the behavior of patients seeking legally protected reproductive health care in Maryland, or the health care providers who offer these reproductive services. It assures health care providers that a health occupation board may not refuse to issue or renew, or revoke or suspend a professional license or certification because they provided legally protected health care in accordance with Maryland law, even if adverse action is taken against their license in another state. And it prohibits issuers of professional liability insurance from making a health care practitioner suffer the effects of providing legally protected health care by

refusing to issue or renew a contract, increasing premium or changing terms, or reporting the practice of legally protected health care to private or governmental entities.

We realize the Committee may hear suggestions for clarifying content or to correct possible drafting errors in the bill, and we would be happy to work with members and key stakeholders on amendment language in subcommittee; but in the meantime, we urge this Committee to provide a favorable report on SB859 so this vitally important work can continue.

This bill tells the country that Marylanders not only believe in the fundamental right of reproductive freedom, but we will protect that right with every means at our disposal to ensure the right to reproductive health care is legally protected and can be exercised by patients and providers within our borders without retaliation or persecution.