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

The Women's Law Center of Maryland (WLC) is a non-profit legal services and advocacy organization dedicated to ensuring the physical safety, economic security, and bodily autonomy of women in Maryland. While our direct representation projects are limited to primarily survivors of domestic violence, our advocacy is in support of gender justice as a whole, because all women are entitled to access to justice, equality, and autonomy. We recognize that all the issues we fight for are interconnected. Women cannot have bodily autonomy unless they have physical safety. They cannot have physical safety without economic security. And they cannot have economic security without bodily autonomy.

The WLC fully supports Senate Bill 786, aimed at preventing legally protected health care information from being used to instill fear and prosecute patients and providers, rather than further patient health. 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 our providers and patients.

The sharing of reproductive health information only benefits patients and providers if it does not also put them at risk for civil litigation or criminal charges. SB 786 will put the proper safeguards in place to prevent the exploitation of information and keep patients and providers focused on care. For these reasons, the Women's Law Center of Maryland strongly urges a favorable report on Senate Bill 786.

The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.