



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

www.womensdemocraticclub.org

Senate Bill 786
Health – Reproductive Health Services – Protected Information and Insurance
Requirements
Finance Committee – March 1, 2023
SUPPORT

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2023 legislative session. WDC is one of Maryland's largest and most active Democratic clubs with hundreds of politically active members, including many elected officials.

WDC urges the passage of SB0786. This bill will regulate the information that custodians of public records, health care providers, health information exchanges, and dispensers can disclose about legally protected health care. "Legally protected health care" includes all reproductive health services, medications, and supplies related to the provision of pregnancy care, contraception, assisted reproduction, and abortion that is lawful in Maryland. Protected information includes information about the patient or prescriber of medication used in a medical abortion, any identifying information about a patient's medical record relating to the provision of legally protected health care, and any identifying information about an ambulatory abortion care provider. A health information exchange is limited in the information that it can disclose to a provider or exchange located outside the state without the patient's consent. Knowing violations constitute a misdemeanor subject to a fine of up to \$10,000 per day. In addition, a dispenser may not submit information on mifepristone, misoprostol, or any medication used for a medical abortion to the state designated health exchange.

With the Supreme Court's decision to overturn the federal protections of *Roe v. Wade* and let individual states determine whether a woman can terminate her pregnancy, it is more critical than ever to protect all women's reproductive rights in Maryland, including the right to data privacy. The Court's decision increased the vulnerability of both the women who have abortions while living in states that ban abortion, and those who counsel them, promote travel to other states or sell abortion medications. Some states have already enacted laws that create liability for anyone assisting their residents obtain abortion care, including providers in states where abortion is legal. These laws are designed to intimidate people seeking abortion care, as well as the volunteers and health care providers supporting out-of-state patients. This privacy bill will protect information about who is seeking and providing abortion services in Maryland, including medical abortions, thereby providing needed protections from criminal, civil, and administrative liability from those states that ban abortion. It will also support continued access to care for Maryland residents by ensuring health care providers and supportive organizations can continue to operate without legal threats from other states.

A woman's right to reproductive health and freedom is a top priority of WDC. We ask for your support for SB0786 and strongly urge a favorable Committee report.

Diana E. Conway
WDC President

Ginger Macomber
WDC Advocacy Committee