



**House Judiciary Committee**  
**SB 859 – Reproductive Health Protection Act**  
**March 28, 2023**  
**Favorable**

The Maryland Affiliate of the American College of Nurse Midwives (ACNM) supports *Senate Bill 859 – Reproductive Health Protection Act*. Without this legislation, Maryland patients and providers will be placed at great legal risk for the provision of abortion and other reproductive health care within our state borders.

On June 22, 2022, millions of Marylanders lost the fundamental right of bodily autonomy. With the *Dobbs* decision, the U.S. Supreme Court overturned *Roe v Wade* and eliminated constitutional protections for abortion rights. Justice Clarence Thomas also suggested that other protections, such as the right to birth control, may also be called into question.

Since the *Dobbs* decision, fourteen states have implemented abortion bans, including our neighboring state of West Virginia. By the end of this year, we could see about half the states banning or severely restricting abortion. These restrictive states, however, do not seem content to just stopping abortion within their states. Instead, they are adopting aggressive tactics to intimidate and even criminalize residents who travel out-of-state to seek abortion care. These tactics are creating a chilling effect on providers in states like Maryland. Abortion remains protected in our state, but our providers are frightened of attempts of restrictive states to impose criminal, civil, and administrative penalties.

We implore the Maryland General Assembly to protect Maryland abortion providers and their patients. Nurse-midwives, along with our physician and nurse practitioner colleagues, are struggling to provide reproductive health care to Marylanders and out-of-state patients alike. We are afraid of the long-arm of the law of states like Texas, and we no longer believe the Supreme Court will protect us.

The *Reproductive Health Protection Act* would protect us within the state of Maryland, as the state could not participate in out-of-state investigations of legally protected care, including the full range of reproductive health care. The bill would also ensure that health care practitioners were not at risk of losing their professional licenses or subject to malpractice insurance increases because of disciplinary actions by an out-of-state licensing board for care that would have been legal within the state of Maryland.

We ask for a favorable report and to make this bill into emergency legislation. We and our patients are at great risk now. We cannot wait much longer for protection. If we can provide any additional information, please contact Robyn Elliott at [relliott@policypartners.net](mailto:relliott@policypartners.net).

