

STATE OF MINNESOTA

Executive Department



Governor Tim Walz

Emergency Executive Order 22-16

Protecting Access to Reproductive Health Care Services in Minnesota

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

Reproductive freedom is a right under Minnesota law. The United States Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization* does not change that. *Dobbs*—a case involving the *federal* right to reproductive health care services—overturned almost 50 years of settled precedent and took away that federal right from millions of Americans. The United States Supreme Court had previously written that the right to reproductive health care services was “central to personal dignity and autonomy.” Despite the ruling in *Dobbs*, the right to reproductive health care services continues to be essential to personal dignity and autonomy, and it remains protected in Minnesota.

While the right to reproductive health care services remains in Minnesota, that right no longer exists in many states, including many of our neighboring states. In the coming days, some states will severely restrict access to reproductive health care services. Others will adopt laws that impose civil or criminal liability or professional sanctions on health care professionals who provide reproductive health care services. Some states may go so far as to criminalize seeking or obtaining reproductive health care services. The impending loss of freedom to people around the nation poses an imminent threat to the health and safety of people in Minnesota to the extent that other states may seek to infringe on essential liberties protected by the Minnesota Constitution.

We are committed to protecting access to reproductive health care services. No one who is lawfully providing, assisting, seeking, or obtaining reproductive health care services should be subject to legal liability or professional sanctions.

Nothing in this Executive Order should be construed to change Minnesota law. Instead, this Executive Order ensures that people in Minnesota are afforded the protections and rights provided under Minnesota law.

For these reasons, I order as follows:

1. **Definitions.** For the purposes of this Executive Order, the terms below are defined as follows:
 - a. “Reproductive health care services” means all medical, surgical, counseling, or referral services relating to the human reproductive system, including but not limited to services relating to pregnancy, contraception, miscarriage, or the termination of a pregnancy.
 - b. “State agencies” means the departments and agencies listed in Minnesota Statutes 2021, section 15.06, subdivision 1, as well as the Office of Higher Education and the Department of Military Affairs.
2. **State coordination to protect reproductive health care services.** All state agencies must, to the fullest extent of their lawful authority, pursue opportunities and coordinate with each other to protect people or entities who are providing, assisting, seeking, or obtaining lawful reproductive health care services in Minnesota.
 - a. By no later than August 1, 2022, the Minnesota Department of Health and the Minnesota Department of Human Services will present a report to the Governor, Lieutenant Governor, and Legislature summarizing the safety, effectiveness, and importance of reproductive health care services to people in Minnesota.
3. **No assistance from state agencies.** Except as required by court order, or by Minnesota or federal law, no state agency may provide any information or expend or use time, money, facilities, property, equipment, personnel, or other resources in furtherance of any investigation or proceeding that seeks to impose civil or criminal liability or professional sanctions upon a person or entity for:
 - a. the provision of, securing of, receipt of, or any inquiry concerning reproductive health care services that are legal in Minnesota; or
 - b. any assistance given to any person or entity that relates to the provision of, securing of, receipt of, or any inquiry concerning reproductive health care services that are legal in Minnesota.

This limitation does not apply to any investigation or proceeding in which the conduct that is subject to potential liability under the investigation or proceeding would be subject to civil or criminal liability or professional sanction under Minnesota law if committed in Minnesota. Notwithstanding the general prohibition of this section, state agencies may provide information or assistance in connection with such an investigation or proceeding in response to the written request of the subject of such an investigation or proceeding.

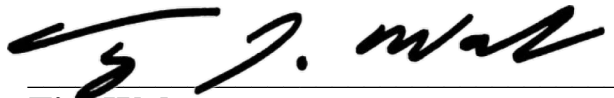
4. **Protection against extradition.** To the maximum extent permitted under the United States and Minnesota Constitutions, and Minnesota Statutes 2021, Chapter 629, and

in consultation with the Minnesota Attorney General pursuant to Minnesota Statutes 2021, section 629.04, I will exercise my discretion to decline requests for the arrest or surrender of any person charged with a criminal violation of a law of another state where the violation alleged involves the provision of, assistance with, securing of, or receipt of reproductive health care services, unless the acts forming the basis of the prosecution of the crime charged would also constitute a criminal offense under Minnesota law.

This Executive Order is effective immediately under Minnesota Statutes 2021, section 4.035, subdivision 2. It will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2021, section 4.035, subdivision 3.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on June 25, 2022.



Tim Walz
Governor

Filed According to Law:



Steve Simon
Secretary of State

Filed on June 25, 2022
Office of the Minnesota
Secretary of State,
Steve Simon