

S.F. No. 165 – Receiving or Providing Reproductive Health Care Services

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For purposes of this bill, "reproductive health care services" means medical, surgical, counseling, or referral services relating to the human reproductive system, including but not limited to services related to pregnancy, contraception, or the termination of a pregnancy. All sections are effective the day following final enactment.

Section 1 [Health records; reproductive health care services] provides that the following does not constitute consent to release medical records: 1) a law in another state that authorizes a subpoena to obtain a patient's health records relating to reproductive health care services; and 2) an order issued by a court in another state that restricts or punishes providing or receiving reproductive health care services to a patient.

Section 2 [Reproductive health care services] prohibits the Board of Medical Practice from refusing to issue a license or grant registration for performing interstate telehealth services or imposing disciplinary actions against an applicant or physician if the applicant or physician: 1) provided reproductive health care services in a manner that is lawful and within the scope of practice in Minnesota; 2) was convicted in another jurisdiction of a felony for providing the services described in clause 1; and 3) was subject to disciplinary action in another jurisdiction or was refused a license to practice medicine in another jurisdiction for providing the services described in clause 1.

Section 3 [Reproductive health care services] prohibits the Board of Medical Practice from refusing to grant a license to an applicant or impose disciplinary action against a physician assistant based on the reasons described in section 2.

Section 4 [Reproductive health care services] prohibits the Minnesota Board of Nursing from refusing to grant a license to an applicant or impose disciplinary action against a nurse based on the reasons described in section 2.

Section 5 [Application of law; enforcement of judgements; reproductive health] prohibits a Minnesota court from applying, in a civil action, a law from another state that allows a person to bring a civil action against another person who terminates or seeks to terminate a pregnancy; performs an act to terminate a pregnancy; knowingly engages in conduct that assists in the termination of a pregnancy; or attempts or intends to engage in any of the specified conduct. These laws from other states are contrary to the public policy of Minnesota. A subpoena issued in an action pending in another state for the production of records must not be enforced in Minnesota if the subpoena relates to a civil or criminal case that restricts a person's ability to terminate a pregnancy. This section does not apply if the action would be the basis for a valid cause of action in Minnesota or could have subjected a person to civil action or criminal penalties if the act had taken place in Minnesota.

Section 6 [Civil liability for reproductive health penalties] allows a person who had a judgment entered against them in another state for providing or receiving reproductive health care services to bring an action in Minnesota against the person who brought the action in the other state.

Section 7 [Duties of governor in extradition matters] provides that the uniform criminal extradition act does not authorize the arrest or extradition of a person for acts committed in Minnesota involving reproductive health care services.

Section 8 [Extradition by agreement] prohibits the governor from using the governor's discretionary authority to extradite a person who left the demanding state involuntarily if the extradition is for acts committed in Minnesota involving reproductive health care services.

Section 9 [Extradition of persons committing crime] prohibits the governor from using the governor's discretionary authority to extradite a person charged in another state for acts committed in Minnesota or a third state if the extradition is for acts committed in Minnesota involving reproductive health care services.

Section 10 [Who may be apprehended] prohibits a judge from issuing a warrant for a person who is charged with committing a crime in another state if the crime arises from acts committed in Minnesota involving reproductive health care services.

Section 11 [Arrest without warrant] prohibits the arrest of a person if the accused is charged in the court of another state for acts committed in Minnesota involving reproductive health care services.