

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 616

H.P. 393

House of Representatives, February 14, 2023

An Act to Protect Health Care Professionals Providing Reproductive Health Care Services

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KUHN of Falmouth.
Cosponsored by Senator PIERCE of Cumberland and
Representatives: GATTINE of Westbrook, MOONEN of Portland, PERRY of Calais,
PRINGLE of Windham, SAYRE of Kennebunk, ZAGER of Portland, Senators: BRENNER of
Cumberland, CARNEY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §2304-D** is enacted to read:

3 **§2304-D. Insurance discrimination based solely on provision of reproductive health**
4 **care services**

5 **1. Discrimination prohibited.** An insurer that provides medical malpractice
6 insurance in this State may not deny, cancel, refuse to renew or restrict coverage of any
7 licensed health care professional or require the payment of additional charges by a health
8 care professional who provides, authorizes, recommends, aids, assists, refers for or
9 otherwise participates in an abortion or any other reproductive health care services
10 provided for the purpose of an abortion performed on an individual on the sole basis that
11 the health care professional is acting in violation of another state's law or revocation or
12 other adverse action against a health care professional's license in another state.

13 **2. Action based on adverse action in another state prohibited.** An insurer that
14 provides medical malpractice insurance in this State may not deny, cancel, refuse to renew
15 or restrict coverage of any licensed health care professional or require the payment of
16 additional charges by a health care professional as a result of an adverse action against the
17 health care professional's license in another state, including but not limited to revocation,
18 suspension or other disciplinary action as a result of a health care professional providing,
19 authorizing, recommending, aiding, assisting, referring for or otherwise participating in an
20 abortion or any other reproductive health care services provided for the purpose of an
21 abortion if the adverse action is solely based on a violation of the other state's law that
22 prohibits abortion and any related reproductive health care services in that state or for a
23 resident of that state.

24 **SUMMARY**

25 This bill prohibits an insurer that provides medical malpractice insurance in this State
26 from taking any adverse action against a health care professional that provides abortion or
27 other reproductive health care services on the sole basis that a health care professional is
28 acting in violation of another state's law or a revocation or other adverse action against a
29 health care professional's license in another state.