

S.37 (2023) As Passed by Senate – One Page Overview
*An act relating to access to legally protected health care activity
and regulation of health care providers*

This bill proposes to:

1. Add definitions to statute for the terms “gender-affirming health care services,” “legally protected health care activity,”* and “reproductive health care services” [Sec. 1];
2. Prohibit a medical malpractice insurer from adjusting a health care provider’s risk classification or premium charges based on the health provider providing legally protected health care activity [Sec. 2];
3. Require that health insurance plans and Medicaid cover gender-affirming health care services and abortion-related services [Secs. 3-5];
4. Prohibit a health care provider from being subject to professional disciplinary action for providing or assisting in the provision of legally protected health care activity [Secs. 6-7];
5. Establish a new “unfair and deceptive act” regarding pregnancy centers to prohibit false and misleading advertising about services [Sec. 8];
6. Require the Green Mountain Care Board and the Agency of Human Services to report on access to reproductive and gender-affirming health care services as part of ongoing projects and analyses [Sec. 9];
7. Require the Office of Professional Regulation to submit a report regarding the State’s participation in interstate compacts (current and future) and direct Vermont compact delegates to support protections for health care providers in compacts [Secs. 10-10a];
8. Allow pharmacists to prescribe emergency contraception and permit pharmacies and colleges and universities to make nonprescription emergency contraception and other contraceptives available by vending machine [Secs. 11-11a];
9. Require Vermont’s public institutions of higher education to report on their students’ access to reproductive and gender-affirming health care services [Secs. 12-13]; and
10. Limit the circumstances under which covered entities and business associates may disclose information regarding legally protected health care activity [Sec. 14].

* The term “legally protected health care activity” includes gender-affirming health care services and reproductive health care services