

1 H.484

2 Introduced by Representatives Krowinski of Burlington, Fisher of Lincoln,  
3 Haas of Rochester, Jerman of Essex, McCormack of Burlington,  
4 Mrowicki of Putney, O'Sullivan of Burlington, Pugh of South  
5 Burlington, Rachelson of Burlington, Ram of Burlington, and  
6 Till of Jericho

7 Referred to Committee on

8 Date:

9 Subject: Commerce and trade; consumer protection; limited services  
10 pregnancy centers

11 Statement of purpose of bill as introduced: This bill proposes to require that  
12 limited services pregnancy centers inform clients of the services they do not  
13 provide, to prohibit misleading advertising, and to bar centers from sharing  
14 client information without written consent.

15 An act relating to advertising and information provided by limited services  
16 pregnancy centers

17 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 9 V.S.A. chapter 63, subchapter 8 is added to read:

2 Subchapter 8. Limited Services Pregnancy Centers

3 § 2481x. LIMITED SERVICES PREGNANCY CENTERS

4 (a) In this section, “limited services pregnancy center” shall mean a facility,  
5 licensed or otherwise, including mobile facilities:

6 (1) the primary purpose of which is to provide services to women who  
7 are or may be pregnant;

8 (2) that offers or claims to offer pregnancy testing, diagnosis, or care;

9 (3) has staff or volunteers who wear medical attire or uniforms, that  
10 contains examination tables, medical supplies, or medical instruments, or  
11 otherwise has the appearance of a medical facility; and

12 (4) does not directly provide or provide referrals for abortions or  
13 emergency contraception as defined in 26 V.S.A. § 2077(1).

14 (b) It shall be an unfair and deceptive act in trade and commerce in  
15 violation of section 2453 of this title for a limited services pregnancy center to  
16 make any statement or advertisement that would lead a reasonable person to  
17 believe that the center directly provides or provides referrals for abortions or  
18 emergency contraception as defined in 26 V.S.A. § 2077(1).

19 (c) A limited services pregnancy center shall:

20 (1) clearly state in all advertising that it does not directly provide or  
21 provide referrals to clients for abortions or emergency contraception;

1           (2) clearly state on the home page of its website, in the primary font size  
2           used on the website, that it does not directly provide or provide referrals to  
3           clients for abortions or emergency contraception;

4           (3) inform any person seeking services that it does not directly provide  
5           or provide referrals to clients for abortions or emergency contraception:

6                   (i) verbally, in a manner that is understandable to the person, upon  
7           first communication or contact, whether by telephone, electronic  
8           communication, or in person; and

9                   (ii) in writing provided to the person upon his or her first visit to  
10           the center.

11           (d) A limited services pregnancy center that collects personal information  
12           or health care information from a person seeking or receiving its services, or  
13           maintains a health care record as defined in 18 V.S.A. § 9419(c)(2) shall not  
14           disclose that information to any other person without the written authorization  
15           of the person seeking or receiving services, or as required by law.

16           Sec. 2. EFFECTIVE DATE

17           This act shall take effect on July 1, 2013.