Act No. 15 (S. 37). An act relating to access to legally protected health care activity and regulation of health care providers

Subjects: Health insurance; professional regulation; health care; Office of Professional Regulation; health care providers; Board of Medical Practice; pregnancy centers; reproductive health care services; gender-affirming health care services; medical malpractice insurance; emergency contraception; protected health information

This act adds definitions to statute for the terms “gender-affirming health care services,” “legally protected health care activity,” and “reproductive health care services;” prohibits 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; requires (in statute) that health insurance plans and Medicaid cover gender-affirming health care services and abortion-related services; prohibits a health care provider from being subject to professional disciplinary action for providing or assisting in the provision of legally protected health care activity and establishes new unprofessional conduct standards; establishes a new “unfair and deceptive act” regarding limited-services pregnancy centers to prohibit false and misleading advertising about services; requires the Green Mountain Care Board and the Agency of Human Services to include access to reproductive and gender-affirming health care services as part of ongoing projects and analyses; requires the Office of Professional Regulation to submit a report regarding the State’s participation in interstate compacts (current and future) and directs Vermont compact delegates to support protections for health care providers in compacts; allows pharmacists to prescribe emergency contraception and permits pharmacies and colleges and universities to make nonprescription emergency contraception and other contraceptives available by vending machine; requires Vermont’s public institutions of higher education to report on their students’ access to reproductive and gender-affirming health care services; and, lastly, limits the circumstances under which covered entities and business associates may disclose information regarding legally protected health care activity.

Multiple effective dates, beginning on May 10, 2023