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**TO: Sen. Ginny Lyons  
Senate Committee on Health and Welfare**

**FROM: Sarah Aceves, Assistant Attorney General  
Office of the Attorney General**

**DATE: February 21, 2023**

**RE: Written Testimony Regarding S.37, An act relating to access to legally  
protected health care activity and regulation of health care providers**

The Vermont Attorney General’s Office is strongly in favor of legislation that protects the fundamental rights of abortion and gender affirming care. To assist the Committee as it considers S.37, the following is a summary of this office’s recommendations and observations regarding Section 8, “Pregnancy Services Center Fraud.”

The bill makes it an unfair and deceptive act and practice in commerce and a violation the Vermont Consumer Protection Act (“CPA”) (9 V.S.A § 2453) for any limited-services pregnancy center to falsely advertise services it does not offer. The CPA prevents unfair and deceptive acts or practices in the marketplace. The CPA gives the Attorney General’s Office enforcement authority to prevent such acts or practices. Unfair or deceptive acts and practices undermine the consumer marketplace. They also may injure Vermonters and erode consumer confidence. As the State’s expert agency in consumer law, the Attorney General’s Office supports efforts to better protect Vermonters entering the marketplace.

Applying these principles to S.37, we are troubled any time there is untrue information in the marketplace that can mislead Vermonters, and, since the June 2022 *Dobbs* decision overturning of *Roe*, we are particularly concerned about the potential to mislead Vermonters considering abortion access and services.

We, therefore, support the bill that includes advertising or the provision of services by a limited-services pregnancy center under the powers given to the Attorney General and State’s Attorney pursuant to the CPA.

The Attorney General supports the Committee's efforts to protect access to abortion and gender affirming care for Vermonters. If the Committee has any specific questions, we would be more than happy to provide testimony.