

**HOUSE . . . . . No. 2399**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Lindsay N. Sabadosa***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to require public universities to provide medication abortion.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/17/2021</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/22/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/22/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/23/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/24/2021</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>2/25/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/25/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/25/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/25/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/25/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/26/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/26/2021</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/26/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/26/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/26/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/26/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/2/2021</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>3/3/2021</i>

<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/7/2021</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>3/5/2021</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>3/8/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>3/8/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>3/14/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>4/8/2021</i>

**HOUSE . . . . . No. 2399**

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By Ms. Sabadosa of Northampton, a petition (accompanied by bill, House, No. 2399) of Lindsay N. Sabadosa and others relative to medical abortion or medication abortion at health centers at public institutions of higher education. Public Health.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act to require public universities to provide medication abortion.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 15A of the General Laws is hereby amended by adding the  
2 following 2 sections:-

3 Section 45. (a) As used in this section and section 46, the following words shall, unless  
4 the context clearly requires otherwise, have the following meanings:-

5 “Medical abortion” or “medication abortion”, means abortion provided by medication  
6 techniques.

7 “Medical abortion readiness” each individual health center’s preparedness to provide  
8 medical abortions, including, but not limited to, having in place equipment, protocols, patient  
9 educational materials, and training for staff. “Medical abortion readiness” does not include the  
10 provision of medical abortions.

11 “Public university health center” or “health center”, means a clinic or health center  
12 providing primary health care services to students operated by any university or college within  
13 the system of public institutions of higher education, as listed in section 5 of this chapter.

14 (b) Each public university health center of a university within the University of  
15 Massachusetts segment and the state university segment, as listed in section 5, clauses (i) and (ii)  
16 of this chapter, shall offer medical abortions to its patients.

17 (c) Each public university health center shall provide referrals for abortion care services  
18 not provided in the health center.

19 Section 46. (a) There shall be established and set up on the books of the commonwealth a  
20 separate fund to be known as the Public University Health Center Sexual and Reproductive  
21 Health Preparation Fund, hereafter called “the fund”, for the purpose of medical abortion  
22 readiness. The fund shall be administered by the department of public health, in consultation  
23 with the department of higher education. The fund shall be credited with: (i) revenue from  
24 appropriations or other money authorized by the general court and specifically designated to be  
25 credited to the fund; and (ii) funds from non-state entities, including, but not limited to gifts,  
26 grants and donations from private entities and local and federal government agencies. Amounts  
27 credited to the fund shall not be subject to further appropriation and any money remaining in the  
28 fund at the end of a fiscal year shall not revert to the General Fund.

29 (b) The department of public health shall utilize fund moneys to do the following:

30 (1) Provide, subject to available funding, a grant of no less than \$200,000 to each public  
31 university health center to pay for the cost, both direct and indirect, of medical abortion  
32 readiness. The department shall prioritize funds to the University of Massachusetts and state

33 universities and create a simple application process for community colleges, as listed in section 5  
34 of this chapter, to apply for funding. Allowable expenses under these grants include, but are not  
35 limited to, the following: (i) the purchase of equipment used in the provision of medical  
36 abortions; (ii) facility and security upgrades; (iii) costs associated with enabling the health center  
37 to deliver telehealth services; (iv) costs associated with training staff in the provision of medical  
38 abortions; (v) staff cost reimbursement and clinical revenue offset while staff are in trainings;  
39 and (vi) billing specialist consultation.

40 (2) Provide, subject to available funding, a grant to the University of Massachusetts to  
41 establish 24-hour, backup medical support by telephone to patients who have obtained a medical  
42 abortion at any public university health center;

43 (3) Pay the costs of the department of public health, both direct and indirect, associated  
44 with administration of the fund, including the costs of hiring staff.

45 (4) Maintain a system of financial reporting on all aspects of the fund.

46 (c) Each public university student health center grantee shall, as a condition of receiving  
47 a grant award from the fund, participate in an evaluation of its medical abortion readiness and its  
48 provision of medical abortions.

49 (d) Nothing in this section or section 45 shall be interpreted as requiring a university or  
50 college to utilize its general fund moneys or student fees for medical abortion readiness before  
51 January 1, 2026.

52 (e) The department of public health, working with the public university health centers,  
53 shall assist and advise on potential pathways for their health centers to access public and private  
54 payers to provide funding for ongoing costs of providing medical abortions.

55 SECTION 2. (a) On or before December 31, 2022, and on or before December 31 of each  
56 year thereafter until December 31, 2026, the department of public health shall submit a report to  
57 the clerks of the house of representatives and the senate, including, but not necessarily limited to,  
58 all of the following information for each reporting period:

59 (i) the number of universities or colleges within the system of public institutions of higher  
60 education that operate a public university health center, as defined in section 45 of chapter 15A  
61 of the General Laws.

62 (ii) the number of medical abortions provided at public university health centers,  
63 disaggregated, to the extent possible, by the public university health center.

64 (iii) the total amount of funds granted by the department of public health to the university  
65 or college and its respective public university health center pursuant to section 46 of chapter 15A  
66 of the General Laws that is expended on medical abortion readiness, as that term is defined in  
67 section 45 of said chapter 15A, and, separately, the total amount of any other funds expended on  
68 medical abortion readiness and the source of those funds, disaggregated by function and, to the  
69 extent possible, disaggregated by health center.

70 (iv) the total amount of funds expended on the provision of medical abortions and the  
71 source of those funds, disaggregated by function and, to the extent possible, disaggregated by  
72 health center.

73 (b) The reports required in subsection (a), and any associated data collection, shall be  
74 conducted in accordance with state and federal privacy law, including, but not necessarily  
75 limited to, section 70E of chapter 111 of the General Laws, the federal Family Educational  
76 Rights and Privacy Act of 1974, 20 U.S.C. section 1232g, and the federal Health Insurance  
77 Portability and Accountability Act of 1996, Public Law 104-191.

78 SECTION 3. Section 45, subsection (b) of the General Laws shall take effect on January  
79 1, 2026.