

ONE HUNDRED SIXTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 243

Introduced by Hunt, 8; Cavanaugh, 6.

PURPOSE: The purpose of this interim study is to examine the practice of medical refusal for contraception, sterilization, or abortion services by health care facilities and providers. It is critical to the health of Nebraskans and their families to understand how refusals to provide care and comprehensive information may harm individuals.

The interim study shall include, but not be limited to:

(1) A review of information on health care facilities with a religious affiliation, including the number and percentage of such facilities, the size and type of such facilities, and the location of such facilities;

(2) A collection of information regarding the number and percentage of patients that give birth at a health care facility, seek miscarriage management treatment, or are provided miscarriage management treatment, and the related complications at health care facilities with a religious affiliation, disaggregated by race and including the number of such patients whose care is paid by the medical assistance program;

(3) A collection of information, by means of a statewide survey, to identify health care providers participating in a practice relationship with a religious health care facility that requires such providers to agree to any restrictions on care. Such survey shall collect information on location, type of care, type of restriction, and how many patients each provider serves; and

(4) An examination of the practices of hospitals and ambulatory surgical centers with a religious affiliation, including, but not limited to:

(a) Reproductive health services not provided by such hospital or ambulatory surgical center, including contraception, tubal ligation, in vitro fertilization or other assisted reproductive technology, miscarriage

management, treatment of ectopic pregnancy, maternity care, and abortion;

(b) The policy of such hospital or ambulatory surgical center regarding information and referrals to be shared with existing patients and prospective patients when they inquire about health care services sought by the patient that such hospital or ambulatory surgical center does not provide or provides in a limited capacity;

(c) The policy of such hospital or ambulatory surgical center on action to be taken and medical information and referrals to be provided when a patient's health or life is at-risk and such hospital or ambulatory surgical center will not provide the medical services needed to adhere to the standard of care, even if allowable under state law;

(d) The types of information and referrals provided to patients when medical care is denied, including actions taken when medical care is denied and the patient's life or health is at-risk. This examination shall include surveys or interviews with patients and providers at religiously affiliated hospitals or ambulatory surgical centers and not be limited to written policies; and

(e) The number of inquiries, including, but not limited to, emails, calls, and in-person visits, received by such hospital or ambulatory surgical center regarding abortion, contraception, or sterilization services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.