

SENATE, No. 3494

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 24, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

Senator NICHOLAS P. SCUTARI

District 22 (Somerset and Union)

SYNOPSIS

Requires four-year public institution of higher education to develop and implement reproductive health services plan; requires county college to develop referral network for reproductive health care services.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/28/2024)

1 AN ACT concerning student reproductive health at public
2 institutions of higher education and supplementing chapter 61D
3 of Title 18A of the New Jersey Statutes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. The Legislature finds and declares:

9 a. Student access to high-quality reproductive health care
10 services is vital to ensuring student health.

11 b. For students on campuses that do not have access to
12 reproductive health care, it is imperative that these students are
13 directed to trusted health care providers in the local community.

14 c. Following the Supreme Court's decision in *Dobbs v. Jackson*
15 *Women's Health Organization*, ensuring access to emergency
16 contraceptives and referrals to community providers is imperative.

17 d. Thirty-nine institutions of higher education across the country
18 have installed vending machines for emergency contraceptives on
19 the campus of the institution.

20 e. Students at institutions of higher education face unique
21 barriers to accessing emergency contraceptives. A study conducted
22 by medical students in Philadelphia found that one-third of the
23 area's pharmacies did not stock emergency contraceptives.
24 Similarly, some student health centers do not stock emergency
25 contraceptives at all. Additionally, traveling off-campus to obtain
26 emergency contraceptives can be difficult for students without cars
27 on campus.

28 f. Students at four-year public institutions of higher education in
29 the State should have access to reproductive health care services.

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31 2. As used in this act:

32 "Abortion" means any medical treatment intended to induce the
33 termination of pregnancy except for the purpose of producing a live
34 birth. Abortion care includes, but is not limited to, medication
35 abortion and early aspiration abortion.

36 "Aspiration abortion" means a procedure that terminates a
37 pregnancy utilizing manual or electric suction to empty the uterus.

38 "Emergency contraception" means one or more prescription
39 drugs to prevent pregnancy, used separately or in combination,
40 administered to or self-administered by a patient within a medically
41 recommended time after sexual intercourse, dispensed for that
42 purpose in accordance with professional standards of practice and
43 determined to be safe by the United States Food and Drug
44 Administration.

45 "Health care facility" means a health care facility as defined in
46 section 2 of P.L.1971, c.136 (C.26:2H-2).

1 “Health care professional” means a person who is licensed,
2 certified, or otherwise authorized to provide health care services
3 pursuant to Title 45 of the Revised Statutes.

4 “Medication abortion” means the use, prescription, order,
5 dispensing, administration, or any combination thereof as
6 applicable, of a medication or a combination of medications to
7 induce termination of pregnancy.

8 “Pregnancy” means the period of the human reproductive
9 process beginning with the implantation of a fertilized egg.

10 “Reproductive health care services” means and includes medical,
11 surgical, counseling, or referral services relating to the human
12 reproductive system, including, but not limited to, services relating
13 to pregnancy, contraception, or the termination of a pregnancy.

14 “Student health center” means a clinic providing primary health
15 care services to students that is located on the campus of a four-year
16 public institution of higher education.

17

18 3. a. A four-year public institution of higher education, in
19 consultation with student representatives selected by the president
20 of the institution, shall develop and implement a reproductive health
21 services plan that addresses student access to reproductive health
22 care services.

23 b. The plan shall, in accordance with all applicable State and
24 federal laws, include:

25 (1) making available on campus services provided by health care
26 professionals, or of referrals to off-campus services provided by
27 health care professionals or health care facilities, for:

28 (a) obtaining federal Food and Drug Administration-approved
29 contraception methods, including emergency contraception and
30 pharmacist authorized, self-administered hormonal contraceptives
31 pursuant to section 1 of P.L.2023, c.2 (C.45:14-67.9);

32 (b) preventing, testing for, and treating sexually transmitted
33 infections, including the human immunodeficiency virus (HIV);

34 (c) prenatal care; and

35 (d) abortion;

36 (2) methods to provide students with 24-hour access to purchase
37 over-the-counter contraception through the student health center, as
38 applicable, on-campus retail establishments, or vending machines;

39 (3) providing evidence-based reproductive health education
40 services through the student health center, as applicable, peer
41 educators, or other health education programs; and

42 (4) developing a referral network of verified health care
43 professionals and pharmacies that provide off-campus reproductive
44 health care services in the county in which the four-year institution
45 of higher education is located.

46 c. Each four-year institution of higher education shall annually
47 update the reproductive health services plan.

1 4. A county college, in consultation with student
2 representatives selected by the president of the institution, shall
3 develop a referral network of verified health care professionals,
4 health care facilities, and pharmacies that provide off-campus
5 reproductive health care services in the county in which the county
6 college is located.

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8 5. The Secretary of Higher Education, in consultation with the
9 Commissioner of Health and the Commissioner of Human Services,
10 shall develop guidelines to assist:

11 a. four-year public institutions of higher education in developing
12 and implementing a reproductive health services plan; and

13 b. county colleges in developing the referral network in
14 accordance with section 3 of this act.

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16 6. Nothing in this act shall be construed to require a public
17 institution of higher education to be a direct provider of
18 reproductive health care services, including abortion.

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20 7. This act shall take effect on the first day of the seventh
21 month next following the date of enactment.

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24 STATEMENT

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26 This bill requires four-year public institutions of higher
27 education to develop and implement a reproductive health services
28 plan.

29 Pursuant to the bill, the plan is required to include: making
30 available on-campus services provided by health care professionals,
31 or referrals to off-campus services provided by health care
32 professionals or health care facilities, for: obtaining contraception,
33 including non-prescription and prescription emergency
34 contraception and pharmacist authorized, self-administered
35 hormonal contraceptives; services for preventing, testing for, and
36 treating sexually transmitted infections, including HIV; prenatal
37 care; and abortion. The plan is also required to include: methods to
38 provide students with 24-hour access to over-the-counter
39 contraception through the student health center, on-campus retail
40 establishments, or vending machines; the provision of evidence-
41 based reproductive health education services provided by the
42 student health center, peer educators, or other health education
43 programs; and the development of a referral network of verified
44 health care professionals, health care facilities, and pharmacies that
45 provide off-campus health care services located within the county
46 that the four-year institution of higher education is located.

47 The bill also requires county colleges to develop a referral
48 network of verified health care professionals, health care facilities,

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1 and pharmacies that provide off-campus reproductive health care
2 services in the county in which the county college is located in.

3 Additionally, the bill requires the Secretary of Higher Education,
4 in consultation with the Commissioner of Health and the
5 Commissioner of Human Services, to develop guidelines to assist
6 public institutions of higher education in developing and
7 implementing a reproductive health services plan and county
8 colleges in developing the referral network.

9 Finally, the bill stipulates that the provisions of the bill are not to
10 be construed to require a public institution of higher education to be
11 a direct provider of reproductive health care services, including
12 abortion.