

SENATE, No. 4775

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 5, 2026

Sponsored by:
Senator CARMEN F. AMATO, JR.
District 9 (Ocean)

SYNOPSIS

Repeals enactment concerning access to and provision of reproductive health care services.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning reproductive health care services, amending
2 various parts of statutory law, and repealing P.L.2026, c.74.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 9 of P.L.1978, c.73 (C.45:1-22) is amended to read as
8 follows:

9 9. In addition or as an alternative, as the case may be, to
10 revoking, suspending or refusing to renew any license, registration
11 or certificate issued by it, a board may, after affording an
12 opportunity to be heard:

13 a. Issue a letter of warning, reprimand, or censure with regard to
14 any act, conduct or practice which in the judgment of the board
15 upon consideration of all relevant facts and circumstances does not
16 warrant the initiation of formal action;

17 b. Assess civil penalties in accordance with this act;

18 c. Order that any person violating any provision of an act or
19 regulation administered by such board to cease and desist from
20 future violations thereof or to take such affirmative corrective
21 action as may be necessary with regard to any act or practice found
22 unlawful by the board;

23 d. Order any person found to have violated any provision of an
24 act or regulation administered by such board to restore to any
25 person aggrieved by an unlawful act or practice, any moneys or
26 property, real or personal, acquired by means of such act or
27 practice; provided, however, no board shall order restoration in a
28 dollar amount greater than those moneys received by a licensee or
29 his agent or any other person violating the act or regulation
30 administered by the board;

31 e. Order any person, as a condition for continued, reinstated or
32 renewed licensure, to secure medical or such other professional
33 treatment as may be necessary to properly discharge licensee
34 functions;

35 f. Order any person, as a condition for continued, reinstated or
36 renewed licensure, to submit to any medical or diagnostic testing
37 and monitoring or psychological evaluation which may be required
38 to evaluate whether continued practice may jeopardize the safety
39 and welfare of the public;

40 g. Order any person, as a condition for continued, reinstated or
41 renewed licensure, to submit to an assessment of skills to determine
42 whether the licensee can continue to practice with reasonable skill
43 and safety, and to take and successfully complete educational
44 training determined by the board to be necessary;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 h. Order any person, as a condition for continued, reinstated or
2 renewed licensure, to submit to an assessment of skills to determine
3 whether the licensee can continue to practice with reasonable skill
4 and safety, and to submit to any supervision, monitoring or
5 limitation on practice determined by the board to be necessary.

6 A board may, upon a duly verified application of the Attorney
7 General that either provides proof of a conviction of a court of
8 competent jurisdiction for a crime or offense involving moral
9 turpitude or relating adversely to the regulated profession or
10 occupation, or alleges an act or practice violating any provision of
11 an act or regulation administered by such board, enter a temporary
12 order suspending or limiting any license issued by the board
13 pending plenary hearing on an administrative complaint; provided,
14 however, no such temporary order shall be entered unless the
15 application made to the board palpably demonstrates a clear and
16 imminent danger to the public health, safety and welfare and notice
17 of such application is given to the licensee affected by such order.
18 If, upon review of the Attorney General's application, the board
19 determines that, although no palpable demonstration of a clear and
20 imminent danger has been made, the licensee's continued
21 unrestricted practice pending plenary hearing may pose a risk to the
22 public health, safety and welfare, the board may order the licensee
23 to submit to medical or diagnostic testing and monitoring, or
24 psychological evaluation, or an assessment of skills to determine
25 whether the licensee can continue to practice with reasonable skill
26 and safety.

27 In any administrative proceeding commenced on a complaint
28 alleging a violation of an act or regulation administered by a board,
29 such board may issue subpoenas to compel the attendance of
30 witnesses or the production of books, records, or documents at the
31 hearing on the complaint.

32 【Notwithstanding any provision of law to the contrary, a board
33 shall not impose any penalties pursuant to this section on the holder
34 of a certificate, registration, or license based solely on the holder
35 engaging in reproductive health care activity, as defined in section 1
36 of P.L. , c. (C.) (pending before the Legislature as this
37 bill).】

38 (cf: P.L.2026, c.74, s.2)

39
40 2. Section 1 of P.L.2022, c.51 (C.2A:84A-22.18) is amended to
41 read as follows:

42 1. As used in sections 1 and 2 of P.L.2022, c.51 (C.2A:84A-
43 22.18 and C.2A:84A-22.19):

44 "Person" includes an individual, partnership, association, limited
45 liability company, or corporation.

46 "Reproductive health care services" means all medical, surgical,
47 counseling, or referral services relating to the human reproductive
48 system including, but not limited to, services relating to pregnancy,

1 contraception, or termination of a pregnancy **【activity】** shall have
2 the same meaning as provided in section 1 of P.L.2026, c.74
3 (C.2C:12-17)**】**.

4 a. Except as provided in sections 3 through 7 of P.L.1968, c.185
5 (C.2A:84A-22.3 through 2A:84A-22.7), section 1 of P.L.1970, c.
6 313 (C.2A:84A-22.8), section 29 of P.L.1968, c.401 (C.45:8B-29),
7 and subsection b. of this section, in any civil action or proceeding
8 preliminary thereto or in any probate, legislative or administrative
9 proceeding, a covered entity, as set forth in the medical privacy and
10 security rules pursuant to Parts 160 and 164 of Subchapter C of
11 Subtitle A of Title 45 of the Code of Federal Regulations,
12 established pursuant to the "Health Insurance Portability and
13 Accountability Act of 1996," Pub.L.104-191, shall not disclose,
14 unless the patient or that patient's conservator, guardian, or other
15 authorized legal representative explicitly consents in writing to the
16 disclosure:

17 (1) any communication made to the covered entity, or any
18 information obtained by the covered entity from, a patient or the
19 conservator, guardian, or other authorized legal representative of a
20 patient relating to reproductive health care services **【activity】** that
21 are **【is】** permitted under the laws of this State; or

22 (2) any information obtained by personal examination of a
23 patient relating to reproductive health care services **【activity】** that
24 are **【is】** permitted under the laws of this State.

25 A covered entity shall inform the patient or the patient's
26 conservator, guardian, or other authorized legal representative of
27 the patient's right to withhold such written consent at or before the
28 time reproductive health care services are **【activity is】** rendered or
29 at such time as the patient discloses any information relating to
30 reproductive health care services **【activity】** that have been **【was】**
31 previously rendered.

32 b. Written consent of the patient or the patient's conservator,
33 guardian, or other authorized legal representative shall not be
34 required for the disclosure of any communication or information:

35 (1) pursuant to the laws of this State or the Rules of Court;

36 (2) by a covered entity against whom a claim has been made, or
37 there is a reasonable belief that a claim will be made, in an action or
38 proceeding, to the covered entity's attorney or professional liability
39 insurer or insurer's agent for use in the defense of the action or
40 proceeding;

41 (3) to the Commissioner of Health, Human Services, or Banking
42 and Insurance, or any professional licensing board operating under
43 the authority of the Division of Consumer Affairs in the Department
44 of Law and Public Safety for records of a patient of a covered entity
45 in connection with an investigation of a complaint, if the records are
46 related to the complaint; or

1 (4) if child abuse, abuse of an elderly individual, abuse of an
2 individual who is incapacitated, or abuse of an individual with a
3 physical or mental disability is known or in good faith suspected.
4 For the purposes of this paragraph, the provision of or material
5 support for reproductive health care services **【activity】** that are **【is】**
6 permitted under the laws of this State shall not constitute abuse.

7 Nothing in this subsection shall be construed to conflict with or
8 displace any requirements or conditions for disclosure set forth
9 under 45 C.F.R. ss.160.203 and 164.514.

10 c. Nothing in this section shall be construed to impede the
11 lawful sharing of medical records as permitted by State or federal
12 law or the Rules of Court.

13 (cf: P.L.2026, c.74, s.3)

14
15 3. Section 17 of P.L.2004, c.17 (C.17:30D-22) is amended to
16 read as follows:

17 17. **【a.】** Notwithstanding any other law or regulation to the
18 contrary, an insurer authorized to transact medical malpractice
19 liability insurance in this State shall not increase the premium of
20 any medical malpractice liability insurance policy based on a claim
21 of medical negligence or malpractice against the insured if the
22 insured is dismissed from an action alleging medical malpractice
23 within 180 days of the filing of the last responsive pleading.

24 **【b.】** An insurer authorized to transact medical malpractice
25 liability insurance in this State shall not take any adverse action,
26 including but not limited to, loss or denial of coverage, or
27 imposition of sanctions, fines, penalties, or rate increases, against
28 an insured licensed, certified, or registered in this State for
29 reproductive health care activity based on the fact that the patient
30 receiving the service is a resident of a state where those services are
31 illegal, or based on a revocation of an insured's license from
32 another state or other disciplinary action by another state that
33 resulted solely from an insured's reproductive health care activity,
34 if the revocation or disciplinary action was based on a violation of
35 the other state's law prohibiting the reproductive health care
36 activity. **】**

37 (cf: P.L.2026, c.74, s.4)

38
39 4. Section 1 of P.L.2022, c.50 (C.2A:160-14.1) is amended to
40 read as follows:

41 1. Notwithstanding the provisions of N.J.S.2A:160-14, the
42 Governor shall not surrender, on demand of the executive authority
43 of any other state, any person who:

44 a. is found in this State;

45 b. was not in the state whose executive authority is making the
46 demand at the time of the commission of the alleged crime and has
47 not fled therefrom; and

1 c. is charged in the state whose executive authority is making
2 the demand with providing, receiving, assisting in providing or
3 receiving, providing material support for, or traveling to obtain
4 【based on】 reproductive health care services that are permitted
5 under the laws of this State 【activity, as defined in section 1 of
6 P.L.2026, c.74 (C.2C:12-17)】, including on any theory of vicarious,
7 joint, several or conspiracy liability.

8 As used in this section, "reproductive health care services"
9 means all medical, surgical, counseling, or referral services relating
10 to the human reproductive system including, but not limited to,
11 services relating to pregnancy, contraception, or termination of a
12 pregnancy.

13 (cf: P.L.2026, c.74, s.8)

14
15 5. Section 2 of P.L.2022, c.51 (C.2A:84A-22.19) is amended to
16 read as follows:

17 2. A public entity of this State or employee, appointee, officer or
18 official or any other person acting on behalf of a public entity shall
19 not provide any information or expend or use time, money,
20 facilities, property, equipment, personnel or other resources in
21 furtherance of any interstate **【or, to the extent permitted by federal**
22 **law, federal】** investigation or proceeding seeking to impose civil or
23 criminal liability upon a person or entity for :

24 (1) the provision, receipt, or seeking of, or inquiring or
25 responding to an inquiry about, reproductive health care services, as
26 defined in section 1 of P.L.2022, c.51 (C.2A:84A-22.18), that are
27 legal in this State; or

28 (2) assisting, advising, aiding, abetting, facilitating, soliciting, or
29 conspiring with any person or entity providing, receiving, seeking,
30 or inquiring or responding to an inquiry about, reproductive health
31 care services 【activity】, as defined in section 1 of P.L.2022, c.51
32 (C.2A:84A-22.18), that are legal in this State 【P.L.2026, c.74
33 (C.2C:12-17)】.

34 This section shall not apply to any investigation or proceeding
35 when the conduct subject to potential liability under the
36 investigation or proceeding would be subject to liability under the
37 laws of this State if committed in this State. This section shall not
38 apply if it is necessary for the agency or person to engage in
39 conduct otherwise prohibited by this section in order to comply
40 with a valid order issued by a court with jurisdiction over the
41 agency or person, or to comply with applicable provisions of State
42 or federal law.

43 (cf: P.L.2026, c.74, s.9)

44
45 6. P.L.2026, c.74 is repealed.

46
47 7. This act shall take effect immediately.

STATEMENT

This bill repeals the recent enactment concerning patients' access to, and medical providers' provision of, reproductive health care services, P.L.2026, c.74.

The enactment, among other provisions:

-- created the crime of "interference with reproductive health care services" and authorized a civil suit for interference with reproductive health care services;

-- barred public entities from expending time or resources in further of interstate proceedings seeking to impose liability for the provision, receipt, or seeking of reproductive health care services that are legal in this State; and

-- expanded the existing ban on extradition from this State of a person charged in another state with providing or receiving reproductive health care services that are legal in this State.

P.L.2026, c.74 took effect August 20, 2026. Under this bill, the repeal of P.L.2026, c.74 would take effect immediately.