



Maryland 2021 Legislative Agenda for Reproductive Freedom

NARAL Pro-Choice Maryland is an advocate for reproductive health, rights, and justice. We work to ensure every individual has the freedom to decide if, when, and how to form one's family. We honor pregnancy in all its complexity, and believe that each individual has the power to make personal decisions about one's own life, body, and future. There should be no barrier to accessing all the sexual and reproductive healthcare necessary to protect one's fertility, plan a pregnancy, experience a healthy pregnancy, give birth, recover from a miscarriage or stillbirth, access abortion care, or conceive using reproductive technology. Reproductive freedom also calls for the social, economic, and political conditions which allow parenting with dignity, in good health, and in safety.

Defending Access to Abortion Care

DEFEATED HB0834/SB0423 *Public Health – Federal and State Funding for Abortions – Prohibitions and Exceptions* would prohibit the use of any type of public funding to pay for abortion care or use health benefits to cover abortion care.

DEFEATED HB0997 *Equal Protection for Unborn Human Life Act* would ban the right to abortion care from the moment of fertilization, and charge any person who provides or obtains an abortion with murder or manslaughter.

DEFEATED HB0846 *Public Health – Abortions – Prenatal Diagnosis of Down Syndrome* would ban the right to receive abortion care in the case of a Down Syndrome diagnosis.

DEFEATED HB1198 *Public Health – Abortion – Drug Induced Abortions* was a 17-page bill seeking to restrict access to medication abortion against FDA, AMA, and ACOG guidelines, and requiring clinics to inform patients about the false and unsafe “abortion pill reversal” method.

DEFEATED HB1109 *Health – Abortion – Ultrasound and Waiting Period* would mandate an ultrasound of a patient seeking abortion care - requiring that the patient be offered to view the ultrasound, listen to any sounds, and be told development of the fetus - and that the patient would then have to wait 24 hours before receiving that care.

DEFEATED HB1112/SB0891 - *Public Health – Maternal and Child Mortality – Review and Perinatal Hospice Services Facility* would mandate physicians to provide patients receiving a fatal fetal anomaly information on perinatal hospice programs and for the state health department website to list such programs as if it is the only recommended medical option when a patient is faced with such a diagnosis. Also attempted to declare in Maryland law personhood of an “unborn child”

Defeating Sexist Legislation

WITHDRAWN SJ0005 - *Comprehensive Health Education Program-Female Monthly Cycle Tracking for Adolescent Girls* - would prioritize a family planning method that if not used perfectly, is highly ineffective in preventing pregnancy, and puts the burden solely on the individual who has the potential to become pregnant to prevent unintended pregnancy. Assumed that menstrual cycle lesson plans are missing from the state standards in health education – not true, it begins in 4th grade and continues through middle and high school.

DEFEATED HB1156/SB0807 – *Commission on Men and Fatherhood (Fatherhood Protection Act)* would have required the state to form and fund a 25-member statewide commission, with a paid executive director, “directing attention to critical problems confronting men as husbands, fathers, homemakers and workers”; “recommend methods of overcoming discrimination against men in public and private employment, and in family law disputes”; “secure appropriate recognition of men’s accomplishments”; and “encourage men to become candidates for public office.”

Our Priority Legislation to Advance Our Rights

PASSED

HB0401/SB0438 *County Boards of Education - Pregnant and Parenting Students - Policies and Reports* will require each school district to establish a model policy that supports the educational goals of parenting students by providing lactation spaces with the right to miss class time to pump, and a designated school liaison to connect students with childcare and transportation to help them stay in school, on track to graduate, and closer to economic security. Effective July 1, 2021.

FAILED

HB0439/SB0470 *Institute for Innovation and Implementation - Pregnant, Expecting, and Parenting Students - Data Collection and Report* – would establish a partnership with the University of Maryland School of Social Work's Institute for Innovation and Implementation and the 5 school districts with the highest teen birth rates to collect data and track educational outcomes to inform more policy.

PASSED

HB0205/SB0427 *Public Schools - Provision of Menstrual Hygiene Products – Requirement* – will require size appropriate tampons and sanitary napkins to be provided to public school students at no charge via dispensers, in at least 1 elementary school restroom, in at least 2 middle school and high school restrooms by October 1, 2022, and ALL female-designated middle and high school restrooms by August 1, 2025. This is just the baseline – schools can choose to do more.

FAILED

HB0235 *Correctional Services - Pregnant Incarcerated Individuals - Substance Abuse Assessment and Treatment* would ensure that pregnant incarcerated individuals will be able to access critical healthcare and be provided continuity of care upon release through coordinated and implemented reentry and referral plans. The bill calls for proper assessment for any factor contributing to a high-risk pregnancy, such as substance use, mental health, or HIV status. Receiving appropriate healthcare and assessment while inside, no matter the length of confinement, helps improve pregnancy outcomes.

PASSED

HB0107/SB0499 *Prohibition on Vending Machine Sales of Drugs and Medicines – Repeal* – lifts the prohibition of the sale of FDA-approved over-the-counter medications in vending machines, such as emergency contraception. Let the organizing begin! Effective October 1, 2021.

Other Great Wins

PASSED

HB0758/SB0684 *Maryland Licensure of Certified Midwives Act* – creates a pathway for licensure for Certified Nurse Midwives, Certified Midwives, and Direct Entry/Certified Professional Midwife to provide pregnant individuals more options for their birth and perinatal healthcare.

PASSED

HB1349/SB0777 - *Public Health - Maryland Prenatal and Infant Care Grant Program Fund* – provides grants to increase access to prenatal care in underserved communities with higher rates of infant mortality, pre-term births, and low birthweight, including undocumented individuals.

PASSED

SB0923 - *Maryland Medical Assistance Program - Eligibility and Disenrollment* – extends Medicaid coverage to recipients from 60 days to 1-year postpartum.

Legislation for Next Session

FAILED

HB0155/SB0098 *County Boards and Public and Nonpublic Prekindergarten Programs and Schools - Discrimination - Prohibition* - would prohibit a county board, public or nonpublic kindergarten program or primary or secondary school that receives state funds from discriminating against a student, by refusing enrollment, expelling, or withholding privileges, on the basis of race, ethnicity, religion, sex (including pregnancy), sexual orientation, age, marital status, gender identity or disability.

FAILED

HB0375/SB0211 *Labor and Employment – Family and Medical Leave Insurance Program – Establishment* - calls for the creation of a state-run insurance fund that would pay employees wages for up to 12 weeks to cover time off to address significant healthcare needs, among them include adding a new child to one's family or caring for a child with a serious medical condition

FAILED

HB0147/SB0250 *Criminal Law – Sexual Crimes – Repeal of Spousal Defense (Love Is No Defense to Sexual Crimes)* would ban Maryland law from allowing marriage as a criminal defense to sex crimes committed between two people legally married to one another.