

Bill Summary
2nd Session of the 59th Legislature

Bill No.:	SB 1883
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Author:	Sen. Rosino
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Bill Analysis

SB 1883 prohibits any health care institution or payor from being required to participate in or pay for a health care service that violates the health care institution's or payor's conscience. Each payor shall be required to list the services it shall refuse to pay for on the basis of conscience. Refusal to pay for or provide a service shall not give rise to liability or loss of benefits for the institution or payor. Emergency medical services must still be provided. The measure also authorizes medical practitioners to not participate in a health care service that violates the medical practitioner's conscience. Health care providers may require the practitioner to exercise his or her conscience as a basis for not participating in a health care service to be made in writing and signed by the medical practitioner objecting. The measure prohibits discriminating against providers and payors who testify or provide evidence of a violation of this measure as well as any gross mismanagement. Licensing boards are prohibited from reprimanding or sanctioning a medical practitioner who is licensed or certified by the board or agency for engaging in speech or expressive activity protected under the First Amendment to the United States Constitution, unless the board or agency demonstrates beyond a reasonable doubt that the medical practitioner's speech was the direct cause of physical harm to a person with whom the medical practitioner had a practitioner-patient relationship within the last 3 years. Additionally, boards of licensure shall provide any complaint received of the practitioner within 14 days to the practitioner or pay the practitioner a \$500.00 fee for each day of noncompliance.

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