

140 Section 46. (a) As used in this section and section 47, the following words shall have the
141 following meanings unless the context clearly requires otherwise:

142 “Institution”, a public institution of higher education listed in section 5.

143 “Medication abortion”, abortion provided by medication techniques.

144 “Medication abortion readiness”, each institution’s preparedness to provide medication
145 abortions to students or assist students in obtaining medication abortions, including, but not
146 limited to, having in place equipment, protocols, patient educational materials, informational
147 websites and training for staff; provided, however, that “medication abortion readiness” may
148 include the provision of medication abortions.

149 “Health center”, a clinic or health center providing primary health care services to
150 students operated by an institution.

151 (b)(1) Each institution shall develop a medication abortion readiness plan for its students.

152 (2) The department of public health shall issue guidance to all institutions regarding the
153 required contents of medication abortion readiness plans in accordance with the varied
154 capabilities of institutions to provide services including, but not limited to, directly providing
155 medication abortions to students in a health center, providing referrals for abortion care services
156 not provided in the health center or providing information to students about obtaining a
157 medication abortion. In developing the guidance, the department shall consider factors including,
158 but not limited to, whether the institution has an operational health center on campus, the
159 institution’s proximity to a hospital, clinic or other facility that provides medication abortion,
160 availability, convenience and cost of public transportation between the institution and closest

161 facility that provides medication abortion and whether the institution employs health care
162 workers on campus.

163 (3) The department of public health shall review medication abortion readiness plans
164 annually, taking into consideration any changes to the capacity of each institution to provide
165 services to students since the preceding approval of the plan.

166 (c) Each institution shall annually submit any amendments or revisions to its medication
167 abortion readiness plan to the department of public health.

168 (d) Annually, not later than January 31, the department of public health shall determine
169 whether the plan is adequate in proportion to each institution's capacity. The department shall
170 provide further guidance to institutions with plans deemed inadequate that includes remedial
171 measures for the institution to develop an adequate plan.

172 Section 47. (a) There shall be established and set up on the books of the commonwealth a
173 separate fund to be known as the Public University Health Center Sexual and Reproductive
174 Health Preparation Fund for the purpose of medication abortion readiness. The fund shall be
175 administered by the department of public health, in consultation with the department of higher
176 education. The fund shall be credited with: (i) revenue from appropriations or other money
177 authorized by the general court and specifically designated to be credited to the fund; and (ii)
178 funds from non-state entities, including, but not limited to, gifts, grants and donations from
179 private entities and local and federal government agencies. Amounts credited to the fund shall
180 not be subject to further appropriation and any money remaining in the fund at the end of a fiscal
181 year shall not revert to the General Fund.

182 (b) The department of public health shall utilize money in the fund to:

183 (i) provide a grant to each health center to pay for the cost of direct and indirect
184 medication abortion readiness; provided, however, that, the department shall prioritize
185 applications from the University of Massachusetts and state university segments and create a
186 simple application process for community colleges to apply for funding; and provided further,
187 that allowable expenses under these grants shall include, but not be limited to: (A) the purchase
188 of equipment used in the provision of medication abortions; (B) facility and security upgrades;
189 (C) costs associated with enabling the health center to deliver telehealth services; (D) costs
190 associated with training staff in the provision of medication abortions; (E) staff cost
191 reimbursement and clinical revenue offset while staff are in trainings; and (F) billing specialist
192 consultation;

193 (ii) pay the direct and indirect costs of the department of public health associated with
194 administration of the fund, including the costs of hiring staff; and

195 (iii) maintain a system of financial reporting on all aspects of the fund.

196 (c) Each health center grantee shall, as a condition of receiving a grant award from the
197 fund, participate in an evaluation of its medication abortion readiness and its provision of
198 medication abortions.

199 (d) The department of public health, working with the health centers, shall assist and
200 advise on potential pathways for health centers to access public and private payers to provide
201 funding for ongoing costs of providing medication abortions.

202 (e)(1) Annually, not later than December 31, the department of public health shall submit
203 a report to the clerks of the senate and house of representatives, including, but not limited to, all
204 of the following information for each reporting period:

205 (i) an accounting of the medication abortion plans of all institutions, including, but not
206 limited to, a list of institutions that have submitted plans deemed adequate by the department, a
207 list of institutions that are actively developing a remedial plan and a list of institutions that have
208 not submitted an adequate plan to the department;

209 (ii) the number of medication abortions provided at health centers, disaggregated, to the
210 extent possible, by the health center;

211 (iii) the total amount of funds granted by the department of public health to each
212 institution and its health center from the fund that is expended on medication abortion readiness
213 and the total amount of any other funds expended on medication abortion readiness and the
214 source of those funds, disaggregated by use and, to the extent possible, health center; and

215 (iv) the total amount of funds expended on the provision of medication abortions and the
216 source of those funds, disaggregated by use and, to the extent possible, health center.

217 (2) The report required in paragraph (1) and any associated data collected shall comply
218 with state and federal privacy laws, including, but not limited to, section 70E of chapter 111, the
219 federal Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g and the federal
220 Health Insurance Portability and Accountability Act of 1996, Public Law 104-191.

221 SECTION 7. Section 17C of chapter 32A of the General Laws, as appearing in the 2020
222 Official Edition, is hereby amended by inserting after the word “for”, in line 3, the following
223 words:- abortion as defined in section 12K of chapter 112, abortion-related care,.

224 SECTION 8. Said section 17C of said chapter 32A, as so appearing, is hereby further
225 amended by inserting after the second paragraph the following 2 paragraphs:-