

Governor Phil Murphy

New Jersey Expands Access to Reproductive Health Care, Adopts New Rules from Unanimous Vote by State Board of Medical Examiners

12/6/2021

TRENTON – Governor Phil Murphy today announced expanded access to reproductive health care in New Jersey with the adoption of new rules published in the New Jersey Register. In October 2021, the State Board of Medical Examiners unanimously voted to adopt new rules to eliminate medically unnecessary regulations on abortion and open new avenues for reproductive healthcare services across the state.

“At a time when our country is on the verge of severely limiting access to reproductive health care, New Jersey is prioritizing the expansion of these critical services,” **said Governor Murphy**. “Removing outdated barriers to care ensures that all New Jerseyans have equitable access to reproductive health care.”

“Here in New Jersey, we are committed to ensuring that everyone has access to the health services they need, including people of color and underserved communities disproportionately affected by barriers to care,” **said Acting Attorney General Bruck**. “That’s why the Murphy Administration is expanding access to reproductive health and abortion care, even as the right to these services is under attack elsewhere. I thank the Board of Medical Examiners for carefully considering the evidence and reaching a decision to put the health of New Jerseyans first by eliminating medically unnecessary restrictions on care.”

Key aspects of the new rules published in the New Jersey Register today include:

Repealing the Termination of Pregnancy rule that singles out abortion care for targeted regulation by, among other things, requiring that all terminations of pregnancy be performed only by a physician, and barring office-based terminations beyond 14 weeks gestation;

- Clearing the path for Advanced Practice Nurses, Physician Assistants, and Certified Nurse Midwives and Certified Midwives to perform early aspiration terminations of pregnancy; and,
- Updating the regulations to integrate reproductive care within the generally applicable rules designed to ensure the safety of patients who undergo surgery or special procedures in an office setting.

The State Board of Examiners’ decision to adopt new regulatory changes followed the recommendations of a Board subcommittee empaneled in 2018 to study the Board’s current regulations in light of advances in the field of reproductive health care.

In adopting the new rules, the Board considered nationally recognized medical and public health studies, which demonstrated that general rules governing health care procedures are sufficient to secure the health and safety and that certain early abortion procedures can safely be performed by non-physician clinicians. Studies also indicate that medically unnecessary over-regulation of abortion itself creates public health harms by disrupting access to essential care.

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By clearing the path for certain healthcare providers other than physicians to perform a termination of pregnancy, the rule changes significantly expand access to reproductive care in New Jersey. Currently, there are approximately 11,956 Advanced Practice Nurses, 4,495 Physician Assistants, 393 Certified Nurse Midwives, and 18 Certified Midwives in the State who could become authorized to perform the procedure.

"Protecting the public's health by establishing standards for the safe practice of medicine is among the BME's top responsibilities," **said Sean P. Neafsey, Acting Director of the Division of Consumer Affairs.** "I commend the work undertaken by members of the Board and Committee who carefully studied and reviewed the matter before implementing regulatory changes."

"The changes being adopted today will ensure more New Jersey residents have access to vital reproductive care," **said Dr. Scott E. Metzger, President of the State Board of Medical Examiners.** "A great deal of time and effort goes into reviewing every regulatory proposal before the Board, and its unanimous decision signals it was time to implement changes to allow additional qualified professionals to provide needed abortion care."

"Every New Jerseyan deserves the ability to make their own personal health care decisions, especially when it comes to reproductive health care and abortion," **said Kaitlyn Wojtowicz, Vice President of Public Affairs, Planned Parenthood Action Fund of New Jersey and member of Thrive New Jersey.** "We at PPAFNJ thank the Board of Medical Examiners for this necessary step to expanding access so we can all get the care we need, when we need it."

Governor Phil Murphy

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