



# MATTHEW J. PLATKIN

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## *Attorney General*



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care, sometimes by providing false or misleading information about the safety and legality of abortion.

These actions reflect a multifaceted approach designed to protect reproductive rights in New Jersey.

"I applaud Attorney General Platkin for his continued efforts to support women's fundamental right to reproductive health care in our state. By protecting reproductive care providers and women who travel to our state for such care, New Jersey will become a refuge for those seeking these critical services," **said Governor Murphy**. "My Administration will continue to make true on its promises to all women seeking the reproductive care they need and will set a standard for reproductive health care across our nation."

"Under Governor Murphy's leadership, our State is deeply committed to protecting the rights of those who provide and receive reproductive services, and our office will continue to use every available resource to protect access to abortion care here in New Jersey," **said Attorney General Platkin**. "The actions we are announcing today will provide vital information to patients and health care providers in order to facilitate unobstructed access to abortion services in New Jersey."

"The Division of Consumer Affairs is using all available tools to protect the rights to privacy and reproductive freedom in New Jersey," **said Cari Fais, Acting Director of the Division of Consumer Affairs**. "As other states impose draconian penalties on patients and health care professionals who seek or provide abortion care, we are taking action to ensure that New Jersey is a safe place for both providers and recipients of abortion care."

These actions come in the aftermath of the U.S. Supreme Court's decision in *Dobbs*, which overruled nearly half a century of settled precedent and held that the U.S. Constitution does not protect the right to an abortion.

One week after the *Dobbs* decision, Governor Phil Murphy signed legislation establishing critical protections for patients and providers. For patients, the legislation helps ensure that confidential patient information related to reproductive care remains protected from disclosure. For providers, the legislation prohibits New Jersey's professional licensing boards from taking disciplinary action against health care practitioners who provide reproductive health care that is lawful in New Jersey.

To explain the obligations New Jersey law now imposes on its professional licensing boards, Attorney General Platkin today issued a letter to the Board of Medical Examiners, the Board of Nursing, the Board of Pharmacy, the Physician Assistant Advisory Committee, and the Midwifery Liaison Committee. The letter clarifies, among other things, that:

- The professional licensing boards are now prohibited from disciplining a licensee or denying an application for licensure based solely on the fact that the licensee or applicant provided abortion care. As a result, boards cannot discipline a licensee or deny an application for licensure based solely on the fact that an individual faces disciplinary or criminal actions for providing abortion care in a state where abortion is illegal, or for providing abortion care in New Jersey to residents of states that have banned or severely restricted abortion;
- The law protects not only licensees who provide abortion care directly, but also those who authorize, participate in, refer for, or assist with any health care, medical service, or procedure that is related to an abortion. That means the boards cannot discipline a licensee or deny a licensure application based solely on the fact that the individual helped someone who lives in another State where abortion is illegal obtain abortion care —whether by providing a referral to an abortion provider, providing information regarding abortion care options, providing travel assistance, or by any other means; and
- The law generally prohibits state entities—including professional licensing boards — from cooperating with interstate investigations or proceedings that seek to impose civil or criminal liability on a person or entity for, among other things, seeking, receiving, providing, assisting with the provision of, or responding to inquiries about reproductive care.

The Division of Consumer Affairs is also disseminating an alert to health care providers that emphasizes the steps providers should take to secure patient data related to reproductive care in the wake of the *Dobbs* decision. To ensure that health care



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determine whether the organization they are contacting is a CPC; and how to find an abortion provider.

The Attorney General's Strike Force, which coordinated the documents disseminated today, was created by Attorney General Platkin in July 2022 and is comprised of officials from across the Department of Law and Public Safety. The Strike Force evaluates and pursues civil and criminal enforcement actions, as well as strategic initiatives like the ones announced today, to protect access to reproductive health care for New Jersey residents and residents of other States who travel to New Jersey to access such care.

These documents are just the latest actions taken by the Office of the Attorney General and the Strike Force to protect reproductive rights. Last week, for example, Attorney General Platkin announced \$5 million in grant funding to support abortion and reproductive health training and education. And in November 2022, Attorney General Platkin also led a multistate coalition letter to Apple expressing concerns regarding reproductive health privacy on Apple's App Store and urging Apple to take commonsense steps to protect consumers' private reproductive health information from being wrongfully exploited.

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