



NEW YORK STATE SENATOR

Shelley B. Mayer

## City and State: Hochul marks one-year anniversary of Dobbs by signing law for telehealth abortions across state lines

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| ISSUE: **ABORTION**

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The legislation offers more protections for health care providers in New York to administer telehealth abortion services to patients living in states where abortion services are illegal. REBECCA C. LEWIS

The governor signed a bill that will protect New York health care providers administering abortion medication to patients living in other states – insisting New York is on solid legal footing to do so. Almost one year to the day since the U.S. Supreme Court’s monumental decision to overturn federal abortion protections, Gov. Kathy Hochul Friday **signed legislation** to protect New York health care providers who prescribe medication abortion to out-of-state patients.

“Extremist lawmakers in other states can stop their health care providers from supplying abortion pills – that’s your state. But they can’t stop our providers. They can’t stop New York, and that’s how we’re fighting back,” Hochul said.

The **legislation**, sponsored by state Sen. Shelley Mayer and Assembly Member Karines Reyes, offers more protections for health care providers in New York to administer telehealth abortion services to patients living in states where abortion services are illegal. Under the law, New York health care providers are now protected from extradition, arrest and legal proceedings for providing abortion services to people in those states.

Mayer asserted the state was “taking the offense” to fight for reproductive rights. “We’re taking a stand here. We’re not going backwards,” Meyer said. “We will protect (health care providers) for their courage because it's the right thing to do.” Reyes said the state was on the right side of history at a time when other states have passed legislation to limit women’s access to abortions. “This bill becoming law will bring women in those states one step closer to regaining control of their lives, liberties and bodies. So they can live with dignity,” the Assembly member said.

There have been legal concerns about the constitutionality of the legislation raised by Republican lawmakers during the Assembly **floor debate** for the bill. The GOP lawmakers questioned the state’s authority to protect a health care provider from litigation in another state for administering telehealth abortion services. Lawmakers also likened it to New York expecting officials in other states to respect its bans on other things that may be legal in their states. When asked about those concerns by City & State shortly after signing the bill into law, the governor said she welcomed any potential legal challenges to the legislation, while asserting that she’d win the lawsuits. “The research and work that we’ve done thus far – and it's been intensive – demonstrates that this is a constitutional fundamental right that we have here in New York and we're going to continue to exercise it. So we'll be ready for any lawsuits,” Hochul said.

Last year, the Dobbs ruling to overturn federal abortion protections prompted immediate action by the governor and the Legislature to **pass a comprehensive legislative package** – including protection for health care providers from being charged or getting sued for medical malpractice for performing abortions. Then in April, when a Texas judge ruled to suspend the Food and Drug Administration’s approval of the abortion drug mifepristone – and possibly stop the nationwide use of the popular medication – Hochul announced a **stockpile** of another abortion medication misoprostol.

Hochul called on other states to join forces, asserting the protections do not have to be limited to the state. “Follow us. Come to your senses,” Hochul said. “This is America. Don't forget that because we're better than that – we're better than what's happening to our country.”

*Additional reporting by Rebecca C Lewis*

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### 2023-S1066

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- Introduced
- - In Committee Assembly
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- - On Floor Calendar Assembly
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- - Passed Assembly
  - Passed Senate
- Delivered to Governor

- Signed By Governor

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Relates to providing protections to health service providers who perform legally protected health activities

January 09, 2023

Signed by Governor

Sponsored by Shelley B. Mayer

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