

New Law Protects Nondisclosure of Patient Information Relating to Reproductive Healthcare Services

Healthcare Law Update

New HHS Guidance on Reproductive Patient Information and Privacy

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Effective July 1, 2022, Governor Phil Murphy signed into law Bill A3975 to protect the disclosure of patient information relating to reproductive health care services, and to protect access to health care, medical services, and procedures related to an abortion for persons who come to New Jersey from jurisdictions in which these actions are illegal. “Reproductive health care services” is defined as all medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to contraception, or termination of a pregnancy. The new law generally provides that in any civil action, a medical provider is barred from disclosing the following communications or information, unless the patient explicitly consents in writing to the disclosure: (i) any communication made to the medical provider, or any information obtained by the medical provider from a patient relating to reproductive health care services; or (ii) any information obtained by personal examination of a patient relating to reproductive health care services that are permitted under New Jersey law.

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