

1                                   **VERMONT MEDICAL SOCIETY RESOLUTION – PROPOSED**

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3                                   **Protecting Patient Access to and Clinician Provision of Medical Care**

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6 WHEREAS, comprehensive reproductive health services, including access to contraception and  
7 abortion, and the provision of gender-affirmative care, are the standard of care in medicine;<sup>1</sup>

8  
9 WHEREAS, the Vermont Medical Society has established positions supporting access to  
10 comprehensive reproductive health care including contraception, abortion and gender-  
11 affirmative care;<sup>2</sup>

12  
13 WHEREAS, Vermont law recognizes the right of every individual to choose or refuse  
14 sterilization, contraception or abortion and prohibits state interference in obtaining or  
15 providing abortion services;<sup>3</sup>

16  
17 WHEREAS, the Vermont Legislature has committed to exploring all available options to  
18 ensure that transgender youth and their families are safe in Vermont to make the best medical  
19 care decisions for themselves in consultation with their health care providers;<sup>4</sup>

20  
21 WHEREAS, following the U.S. Supreme Court decision in *Dobbs v. Jackson Women’s Health*  
22 *Organization*, there is no federal protection for access to abortion services and about half of U.S.  
23 states have already or are expected to enact abortion bans or other limits on the procedure;<sup>5</sup>

24  
25 WHEREAS, more than a third of the 150,000 transgender youth 13 to 17 years of age in the  
26 United States live in the 15 states that have restricted or banned access to best practice medical  
27 care for transgender youth or are considering legislation to do so;<sup>6</sup>

28  
29 WHEREAS, states such as New York, Washington, California, New Mexico, Minnesota,  
30 Massachusetts and Connecticut have taken legislative or executive actions to protect patient

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<sup>1</sup> <https://www.acog.org/clinical-information/policy-and-position-statements/statements-of-policy/2022/abortion-policy>; <https://publications.aap.org/pediatrics/article/142/4/e20182162/37381/Ensuring-Comprehensive-Care-and-Support-for>

<sup>2</sup> [https://vtmd.org/client\\_media/files/vms\\_resolutions/2019%20Codifying%20Protection%20for%20Womens%20Reproductive%20Rights\\_Final.pdf](https://vtmd.org/client_media/files/vms_resolutions/2019%20Codifying%20Protection%20for%20Womens%20Reproductive%20Rights_Final.pdf); <https://vermontbiz.com/news/2021/april/16/medical-leaders-call-scott-and-lawmakers-denounce-restrictions-gender-care>

<sup>3</sup> <https://legislature.vermont.gov/Documents/2020/Docs/ACTS/ACT047/ACT047%20As%20Enacted.pdf>;  
Article 22 will also be before Vermont voters November 9, 2022 and would recognize a right to reproductive liberty in the Vermont State Constitution, see: <https://legislature.vermont.gov/Documents/2022/Docs/BILLS/PR0005/PR0005%20As%20adopted%20by%20the%20Senate%20Unofficial.pdf>

<sup>4</sup> <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACTR255/ACTR255%20As%20Adopted.pdf>

<sup>5</sup> <https://www.kff.org/other/state-indicator/abortion-policy-tracker>; see also

<https://www.nytimes.com/interactive/2022/us/abortion-laws-roe-v-wade.html>

<sup>6</sup> See also <https://www.kff.org/other/issue-brief/youth-access-to-gender-affirming-care-the-federal-and-state-policy-landscape/>

31 access to and clinician provision of abortion services such as limiting licensing discipline,  
32 malpractice actions, enforcements of warrants, and extradition;<sup>7</sup> and

33  
34 WHEREAS, Minnesota has enacted protections from enforcement of laws from other states  
35 prohibiting or restricting the individual or the individual's child from receiving gender-  
36 affirming care;<sup>8</sup> therefore be it

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39 **RESOLVED, that the Vermont Medical Society will coordinate with state lawmakers,**  
40 **the administration, the Attorney General and other policy makers to implement state**  
41 **protections for patients seeking and clinicians providing services that are evidence-**  
42 **based and standard of care in Vermont but are limited or banned in other jurisdictions,**  
43 **including but not limited to comprehensive reproductive health care such as**  
44 **contraception and abortion, and gender-affirmative care, such as:**

- 45 • **Protection from out-of-state prosecution and extradition;**
- 46 • **Protection from enforcement of civil judgments, subpoenas or warrants;**
- 47 • **Protection from disciplinary actions by medical boards and in-state**
- 48 **malpractice insurance companies; and**
- 49 • **Protections for medical records data and access to telehealth services.**

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<sup>7</sup> <https://www.kff.org/womens-health-policy/issue-brief/state-actions-to-protect-and-expand-access-to-abortion-services>; see also <https://www.networkforphl.org/resources/topics/reproductive-health-and-equity/>

<sup>8</sup>

[https://www.revisor.mn.gov/bills/text.php?number=SF4525&version=latest&session=ls92&session\\_year=2022&session\\_number=0](https://www.revisor.mn.gov/bills/text.php?number=SF4525&version=latest&session=ls92&session_year=2022&session_number=0)