

**2A:84A-22.18 & 2A:84A-22.19; 45:1-21
LEGISLATIVE HISTORY CHECKLIST**

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LAWS OF: 2022 **CHAPTER:** 51

NJSA: 2A:84A-22.18 & 2A:84A-22.19; 45:1-21
(Concerns protections with respect to nondisclosure of certain patient information relating to reproductive healthcare services, and protecting access to services and procedures related to abortion for certain out-of-State persons.)

BILL NO: A3975 (Substituted for S2633 (1R))

SPONSOR(S) Lisa Swain and others

DATE INTRODUCED: 5/12/2022

COMMITTEE: **ASSEMBLY:** Judiciary
Budget

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: 6/29/2022

SENATE: 6/29/2022

DATE OF APPROVAL: 7/1/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL
(Assembly Committee Substitute enacted) Yes

A3975

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2633 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Susan K. Livio and Matt Arco nj advance media, 'NJ enacts protections for residents from out of state seeking abortions', Jersey Journal, The (online), 2 Jul 2022 010

Susan K. Livio - For The Star-Ledger, 'N.J. could soon protect out-of-state women seeking abortions The bills need Murphy's signature to become law.', Star-Ledger, The (online), 1 Jul 2022 005

Katie Sobko and Lindy Washburn, NorthJersey.com, 'NJ LEGISLATURE ACTS TO PROTECT ABORTION PROVIDERS, PATIENTS', Record, The (online), 30 Jun 2022 A3

end

P.L. 2022, CHAPTER 51, *approved July 1, 2022*
Assembly Committee Substitute for
Assembly, No. 3975

1 AN ACT concerning reproductive health care services,
2 supplementing Title 2A of the New Jersey Statutes, and
3 amending P.L.1978, c.73.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. (New section) As used in sections 1 and 2 of P.L. ,
9 c. (C.) (pending before the Legislature as this bill):

10 "Person" includes an individual, partnership, association, limited
11 liability company, or corporation.

12 "Reproductive health care services" means all medical, surgical,
13 counseling, or referral services relating to the human reproductive
14 system including, but not limited to, services relating to pregnancy,
15 contraception, or termination of a pregnancy.

16 a. Except as provided in sections 3 through 7 of P.L.1968,
17 c.185 (C.2A:84A-22.3 through 2A:84A-22.7), section 1 of
18 P.L.1970, c. 313 (C.2A:84A-22.8), section 29 of P.L.1968, c.401
19 (C.45:8B-29), and subsection b. of this section, in any civil action
20 or proceeding preliminary thereto or in any probate, legislative or
21 administrative proceeding, a covered entity, as set forth in the
22 medical privacy and security rules pursuant to Parts 160 and 164 of
23 Subchapter C of Subtitle A of Title 45 of the Code of Federal
24 Regulations, established pursuant to the "Health Insurance
25 Portability and Accountability Act of 1996," Pub.L.104-191, shall
26 not disclose, unless the patient or that patient's conservator,
27 guardian, or other authorized legal representative explicitly
28 consents in writing to the disclosure:

29 (1) any communication made to the covered entity, or any
30 information obtained by the covered entity from, a patient or the
31 conservator, guardian, or other authorized legal representative of a
32 patient relating to reproductive health care services that are
33 permitted under the laws of this State; or

34 (2) any information obtained by personal examination of a
35 patient relating to reproductive health care services that are
36 permitted under the laws of this State.

37 A covered entity shall inform the patient or the patient's
38 conservator, guardian, or other authorized legal representative of

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 the patient's right to withhold such written consent at or before the
2 time reproductive health care services are rendered or at such time
3 as the patient discloses any information relating to reproductive
4 health care services that have been previously rendered.

5 b. Written consent of the patient or the patient's conservator,
6 guardian, or other authorized legal representative shall not be
7 required for the disclosure of any communication or information:

8 (1) pursuant to the laws of this State or the Rules of Court;

9 (2) by a covered entity against whom a claim has been made, or
10 there is a reasonable belief will be made, in an action or proceeding,
11 to the covered entity's attorney or professional liability insurer or
12 insurer's agent for use in the defense of the action or proceeding;

13 (3) to the Commissioner of Health, Human Services, or Banking
14 and Insurance, or any professional licensing board operating under
15 the authority of the Division of Consumer Affairs in the Department
16 of Law and Public Safety for records of a patient of a covered entity
17 in connection with an investigation of a complaint, if the records are
18 related to the complaint; or

19 (4) if child abuse, abuse of an elderly individual, abuse of an
20 individual who is incapacitated, or abuse of an individual with a
21 physical or mental disability is known or in good faith suspected.
22 For the purposes of this paragraph, the provision of or material
23 support for reproductive health care services that are permitted
24 under the laws of this State shall not constitute abuse.

25 Nothing in this subsection shall be construed to conflict with or
26 displace any requirements or conditions for disclosure set forth
27 under 45 C.F.R. ss.160.203 and 164.514.

28 c. Nothing in this section shall be construed to impede the
29 lawful sharing of medical records as permitted by State or federal
30 law or the Rules of Court.

31

32 2. (New section) A public entity of this State or employee,
33 appointee, officer or official or any other person acting on behalf of
34 a public entity shall not provide any information or expend or use
35 time, money, facilities, property, equipment, personnel or other
36 resources in furtherance of any interstate investigation or
37 proceeding seeking to impose civil or criminal liability upon a
38 person or entity for:

39 (1) the provision, receipt, or seeking of, or inquiring or
40 responding to an inquiry about, reproductive health care services, as
41 defined in section 1 of P.L. , c. (C.) (pending before the
42 Legislature as this bill), that are legal in this State; or

43 (2) assisting, advising, aiding, abetting, facilitating, soliciting, or
44 conspiring with any person or entity providing, receiving, seeking,
45 or inquiring or responding to an inquiry about, reproductive health
46 care services, as defined in section 1 of P.L. , c. (C.)
47 (pending before the Legislature as this bill), that are legal in this
48 State.

1 This section shall not apply to any investigation or proceeding
2 when the conduct subject to potential liability under the
3 investigation or proceeding would be subject to liability under the
4 laws of this State if committed in this State. This section shall not
5 apply if it is necessary for the agency or person to engage in
6 conduct otherwise prohibited by this section in order to comply
7 with a valid order issued by a court with jurisdiction over the
8 agency or person, or to comply with applicable provisions of State
9 or federal law.

10
11 3. Section 8 of P.L.1978, c.73 (C.45:1-21) is amended to read
12 as follows:

13 8. A board may refuse to admit a person to an examination or
14 may refuse to issue or may suspend or revoke any certificate,
15 registration or license issued by the board upon proof that the
16 applicant or holder of such certificate, registration or license:

17 a. Has obtained a certificate, registration, license or
18 authorization to sit for an examination, as the case may be, through
19 fraud, deception, or misrepresentation;

20 b. Has engaged in the use or employment of dishonesty, fraud,
21 deception, misrepresentation, false promise or false pretense;

22 c. Has engaged in gross negligence, gross malpractice or gross
23 incompetence which damaged or endangered the life, health,
24 welfare, safety or property of any person;

25 d. Has engaged in repeated acts of negligence, malpractice or
26 incompetence;

27 e. Has engaged in professional or occupational misconduct as
28 may be determined by the board;

29 f. Has been convicted of, or engaged in acts constituting, any
30 crime or offense that has a direct or substantial relationship to the
31 activity regulated by the board or is of a nature such that
32 certification, registration or licensure of the person would be
33 inconsistent with the public's health, safety, or welfare, provided
34 that the board shall make this determination in a manner consistent
35 with section 2 of P.L.2021, c.81 (C.45:1-21.5). For the purposes of
36 this subsection a judgment of conviction or a plea of guilty, non
37 vult, nolo contendere or any other such disposition of alleged
38 criminal activity shall be deemed a conviction;

39 g. Has had his authority to engage in the activity regulated by
40 the board revoked or suspended by any other state, agency or
41 authority for reasons consistent with this section;

42 h. Has violated or failed to comply with the provisions of any
43 act or regulation administered by the board;

44 i. Is incapable, for medical or any other good cause, of
45 discharging the functions of a licensee in a manner consistent with
46 the public's health, safety and welfare;

47 j. Has repeatedly failed to submit completed applications, or
48 parts of, or documentation submitted in conjunction with, such

1 applications, required to be filed with the Department of
2 Environmental Protection;

3 k. Has violated any provision of P.L.1983, c.320 (C.17:33A-1
4 et seq.) or any insurance fraud prevention law or act of another
5 jurisdiction or has been adjudicated, in civil or administrative
6 proceedings, of a violation of P.L.1983, c.320 (C.17:33A-1 et seq.)
7 or has been subject to a final order, entered in civil or
8 administrative proceedings, that imposed civil penalties under that
9 act against the applicant or holder;

10 l. Is presently engaged in drug or alcohol use that is likely to
11 impair the ability to practice the profession or occupation with
12 reasonable skill and safety. For purposes of this subsection, the
13 term "presently" means at this time or any time within the previous
14 365 days;

15 m. Has prescribed or dispensed controlled dangerous substances
16 indiscriminately or without good cause, or where the applicant or
17 holder knew or should have known that the substances were to be
18 used for unauthorized consumption or distribution;

19 n. Has permitted an unlicensed person or entity to perform an
20 act for which a license or certificate of registration or certification
21 is required by the board, or aided and abetted an unlicensed person
22 or entity in performing such an act;

23 o. Advertised fraudulently in any manner.

24 The division is authorized, for purposes of facilitating
25 determinations concerning licensure eligibility, to require the
26 fingerprinting of each applicant in accordance with applicable State
27 and federal laws, rules and regulations. Each applicant shall submit
28 the applicant's name, address, and written consent to the director for
29 a criminal history record background check to be performed. The
30 division is authorized to receive criminal history record information
31 from the State Bureau of Identification in the Division of State
32 Police and the Federal Bureau of Investigation. Upon receipt of
33 such notification, the division shall forward the information to the
34 appropriate board which shall make a determination regarding the
35 issuance of licensure. The applicant shall bear the cost for the
36 criminal history record background check, including all costs of
37 administering and processing the check, unless otherwise provided
38 for by an individual enabling act. The Division of State Police shall
39 promptly notify the division in the event an applicant or licensee,
40 who was the subject of a criminal history record background check
41 pursuant to this section, is convicted of a crime or offense in this
42 State after the date the background check was performed.

43 Notwithstanding the provisions of any law, rule, or regulation to
44 the contrary, a board shall not refuse to admit a person to an
45 examination and shall not suspend, revoke, or refuse to renew any
46 certificate, registration, or license issued by the board based solely
47 on the applicant's or the certificate, registration, or license holder's
48 provision of, authorization of, participation in, referral for, or

1 assistance with any health care, medical service, or procedure
2 related to an abortion for a person who resides in a jurisdiction
3 where the provision, authorization, participation, referral, or
4 assistance is illegal, if the provision, authorization, participation,
5 referral, or assistance would not be a basis for refusing to admit a
6 person to an examination or for suspending, revoking, or refusing to
7 renew a certificate, registration, or license in this State.

8 For purposes of this act:

9 "Completed application" means the submission of all of the
10 information designated on the checklist, adopted pursuant to section
11 1 of P.L.1991, c.421 (C.13:1D-101), for the class or category of
12 permit for which application is made.

13 "Permit" has the same meaning as defined in section 1 of
14 P.L.1991, c.421 (C.13:1D-101).

15 (cf: P.L.2021, c.81, s.1)

16

17 4. This act shall take effect immediately.

18

19

20

21

22 _____
23 Concerns protections with respect to nondisclosure of certain
24 patient information relating to reproductive healthcare services, and
25 protecting access to services and procedures related to abortion for
certain out-of-State persons.

ASSEMBLY, No. 3975

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 12, 2022

Sponsored by:

**Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)**

Co-Sponsored by:

Assemblywoman Reynolds-Jackson

SYNOPSIS

Restricts jurisdiction over New Jersey resident who facilitates abortion in violation of other states' laws; bars civil and criminal liability.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/27/2022)

1 AN ACT concerning the enforcement of certain states' laws
2 regarding abortion and supplementing P.L.1997, c.204.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. In any enforcement action pursuant to the "Uniform
8 Enforcement of Foreign Judgments Act," section 1 of P.L.1997,
9 c.204 (C.2A:49A-25 et seq.) to enforce an order or judgment under
10 a law of another state that bans or imposes restrictions on abortion
11 and allows an action against a person who facilitates the
12 performance or inducement of an abortion in violation of that law,
13 there shall be a rebuttable presumption that if the defendant is a
14 New Jersey resident, the rendering state lacked personal jurisdiction
15 over the defendant at the time the action was brought. A New Jersey
16 resident shall not be criminally or civilly liable for any civil action
17 or criminal prosecution brought against the New Jersey resident
18 pursuant to any such law.

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill provides that an order or judgment under a law of
26 another state that bans or restricts abortions and allows an action
27 against a person who facilitates the performance or inducement of
28 an abortion in violation of that state's law would be presumed to be
29 unenforceable in this State. Under the bill, there would be a
30 rebuttable presumption that if the defendant is a resident of New
31 Jersey, the rendering state lacked personal jurisdiction over the
32 defendant at the time the action was brought. The bill also provides
33 that a New Jersey resident could not be held criminally or civilly
34 liable for any civil action or criminal prosecution brought against
35 the New Jersey resident pursuant to that state's law.

36

37 According to the Center for Reproductive Rights and the
38 Guttmacher Institute, approximately 25 states are likely to ban
39 abortion or substantially limit access to it if the United States
40 Supreme Court overturns Roe v. Wade, 410 U.S. 113 (1973).

41

42 For example, a law enacted in Texas in May 2021, Tex. SB 8,
43 87th Regular Session ch. 62, bans abortions in that state after six
44 weeks' pregnancy. The law also permits enforcement by private
45 citizens, including authorizing an action against a person who "aids
46 or abets the performance or inducement of an abortion." Statutory
relief includes damages in an amount not less than \$10,000, costs,
and attorney fees.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 3975

STATE OF NEW JERSEY

DATED: JUNE 27, 2022

The Assembly Budget Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 3975.

This Assembly committee substitute for Assembly Bill No. 3975 concerns protections with respect to the disclosure of patient information relating to reproductive health care services, as well as protecting access to health care, medical services, and procedures related to an abortion for persons who come to this State from jurisdictions in which these actions are illegal. The committee substitute defines “reproductive health care services” as all medical, surgical, counseling, or referral services relating to the human reproductive system including, but not limited to, services relating to pregnancy, contraception, or termination of a pregnancy.

The committee substitute generally provides that in any civil action or other proceeding preliminary thereto, a medical provider or other covered entity, as described under federal law concerning medical privacy and security, is barred from disclosing the following communications or information, unless the patient or patient’s conservator, guardian, or other authorized legal representative explicitly consented in writing to the disclosure:

- any communication made to the covered entity, or any information obtained by the covered entity from, a patient or the conservator, guardian, or other authorized legal representative of a patient relating to reproductive health care services; or
- any information obtained by personal examination of a patient relating to reproductive health care services that are permitted under the laws of this State.

A covered entity is required to inform the patient or the patient’s conservator, guardian, or other authorized legal representative of the patient’s right to withhold written consent at or before the time reproductive health care services are rendered, or at the time the patient discloses any information relating to reproductive health care services that have been previously rendered.

Written consent is not required for the disclosure if it is: pursuant to State law or the Rules of Court; by a covered entity to the entity’s attorney or liability insurer for use in defense of such action or proceeding; made to the Commissioner of Health, Human

Services, or Banking and Insurance, or any professional licensing board operating under the authority of the Division of Consumer Affairs in the Department of Law and Public Safety, when seeking patient records in connection with an investigation; or done in connection with an investigation of child abuse, or abuse of a person who is elderly, incapacitated, or has a physical or mental disability.

The committee substitute also specifies that its provisions are not to be construed to conflict with or displace any requirements or conditions for disclosure under federal law, or otherwise impede the lawful sharing of medical records as permitted by State or federal law or the Rules of Court.

Additionally, a public entity of this State or employee, appointee, officer or official or any other person acting on behalf of a public entity would be prohibited from providing any information, or expending or using time, money, facilities, property, equipment, personnel or other resources in furtherance of any interstate investigation or proceeding seeking to impose civil or criminal liability upon a person or entity for:

- the provision, receipt, or seeking of, or inquiring or responding to an inquiry about reproductive health care services that are legal in this State; or

- assisting, advising, aiding, abetting, facilitating, soliciting, or conspiring with any person or entity providing, receiving, seeking, or inquiring or responding to an inquiry about reproductive health care services that are legal in this State.

These provisions would not apply to any investigation or proceeding when the conduct being examined by the investigation or proceeding would be subject to liability under the laws of this State if committed in this State. The provisions would also not apply if it is necessary for the agency or person to engage in conduct otherwise prohibited by the bill in order to comply with a valid order issued by a court with jurisdiction over the public entity or person, or to comply with applicable provisions of State or federal law.

Lastly, the committee substitute provides that various professional licensing boards operating under the authority of the Division of Consumer Affairs could not refuse to admit a person to an examination and could not suspend, revoke, or refuse to renew any certificate, registration, or license based solely on grounds that the applicant's or the certificate, registration, or license holder's provision of, authorization of, participation in, referral for, or assistance with any health care, medical service, or procedure related to an abortion was for a person who resides in a jurisdiction where the provision, authorization, participation, referral, or assistance is illegal, if the provision, authorization, participation, referral, or assistance would not be a basis for refusing to admit a

person to an examination or for suspending, revoking, or refusing to renew a certificate, registration, or license in this State.

This Assembly committee substitute is identical to Senate Bill No. 2633, as amended and reported by the Senate Judiciary Committee on this same date.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

SENATE, No. 2633

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 16, 2022

Sponsored by:

Senator NIA H. GILL

District 34 (Essex and Passaic)

Senator GORDON M. JOHNSON

District 37 (Bergen)

SYNOPSIS

Authorizes certain countersuits concerning liability for providing reproductive health care services permitted under State law; clarifies access to these services in New Jersey by out-of-State persons.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/27/2022)

1 AN ACT concerning reproductive health services and supplementing
2 Title 2A of the New Jersey Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7
8 1. a. As used in this act:

9 “Reproductive health care services” includes all medical,
10 surgical, counseling, or referral services relating to the human
11 reproductive system including, but not limited to, services relating
12 to pregnancy, contraception, or termination of a pregnancy.

13 “Person” includes an individual, partnership, association, limited
14 liability company, or corporation.

15 b. When a judgment has been entered against a person in any
16 state where liability, in whole or in part, is based on the alleged
17 provision, receipt, assistance in receipt or provision, material
18 support for, or any theory of vicarious, joint, several or conspiracy
19 liability derived therefrom, for reproductive health care services
20 that are permitted under the laws of this State, the person may
21 recover damages from any party that brought the action leading to
22 that judgment or has sought to enforce that judgment.

23 Recoverable damages shall include:

24 (1) Damages created by the action that led to that judgment
25 including, but not limited to, money damages in the amount of the
26 judgment in that other state and costs, expenses and reasonable
27 attorney's fees spent in defending the action that resulted in the
28 entry of a judgment in another state; and

29 (2) costs, expenses, and reasonable attorney's fees incurred in
30 bringing an action under this section as may be allowed by the
31 court.

32 c. The provisions of this section shall not apply to a judgment
33 entered in another state that is based on:

34 (1) an action founded in tort, contract or statute, and for which a
35 similar claim would exist under the laws of this State, brought by
36 the patient who received the reproductive health care services upon
37 which the original lawsuit was based or the patient's authorized
38 legal representative, for damages suffered by the patient or damages
39 derived from an individual's loss of consortium of the patient;

40 (2) an action founded in contract, and for which a similar claim
41 would exist under the laws of this State, brought or sought to be
42 enforced by a party with a contractual relationship with the person
43 that is the subject of the judgment entered in another state; or

44 (3) an action where no part of the acts that formed the basis for
45 liability occurred in this State.

46

47 2. a. Except as otherwise provided by law, in any civil action or
48 proceeding preliminary thereto or in any legislative or
49 administrative proceeding, a covered entity, as set forth in the

1 medical privacy and security rules pursuant to Parts 160 and 164 of
2 Title 45 of the Code of Federal Regulations, established pursuant to
3 the "Health Insurance Portability and Accountability Act of 1996,"
4 Pub.L.104-191, shall not disclose:

5 (1) any communication made to the covered entity, or any
6 information obtained by the covered entity from a patient or the
7 conservator, guardian, or other authorized legal representative of a
8 patient relating to reproductive health care services, as defined in
9 section 1 of this act, that are permitted under the laws of this State;
10 or

11 (2) any information obtained by personal examination of a
12 patient relating to reproductive health care services, as defined in
13 section 1 of this act, that are permitted under the laws of this State,
14 unless the patient or that patient's conservator, guardian, or other
15 authorized legal representative explicitly consents in writing to the
16 disclosure. A covered entity shall inform the patient or the patient's
17 conservator, guardian, or other authorized legal representative of
18 the patient's right to withhold such written consent.

19 b. Written consent of the patient or the patient's conservator,
20 guardian, or other authorized legal representative shall not be
21 required for the disclosure of any communication or information:

22 (1) pursuant to the laws of this State or the Rules of Court;

23 (2) by a covered entity against whom a claim has been made, or
24 there is a reasonable belief will be made, in an action or proceeding,
25 to the covered entity's attorney or professional liability insurer or
26 insurer's agent for use in the defense of the action or proceeding;

27 (3) to the Department of Health for records of a patient of a
28 covered entity in connection with an investigation of a complaint, if
29 the records are related to the complaint; or

30 (4) if child abuse, abuse of an elderly individual, abuse of an
31 individual who is incapacitated, or abuse of an individual with a
32 physical or mental disability is known or in good faith suspected.

33 c. Nothing in this section shall be construed to impede the
34 lawful

35 sharing of medical records as permitted by State or federal law or
36 the

37 Rules of Court, except in the case of a subpoena commanding the
38 production, copying, or inspection of medical records relating to
39 reproductive health care services, as defined in section 1 of this act.

40

41 3. a. Notwithstanding the provisions of any other law, a court
42 shall not issue a subpoena requested by any court of the United
43 States or of any other state or government if the subpoena relates to
44 reproductive health care services, as defined in section 1 of this act,
45 that are permitted under the laws of this State, unless the subpoena
46 relates to:

47 (1) an out-of-State action founded in tort, contract, or statute, for
48 which a similar claim would exist under the laws of this State,
49 brought by a patient or the patient's authorized legal representative,

1 for damages suffered by the patient or damages derived from an
2 individual's loss of consortium of the patient; or

3 (2) an out-of-State action founded in contract, and for which a
4 similar claim would exist under the laws of this State, brought or
5 sought to be enforced by a party with a contractual relationship with
6 the person that is the subject of the subpoena requested by another
7 state.

8 b. A court shall not issue a summons in a case where
9 prosecution is pending, or where a grand jury investigation has
10 commenced or is about to commence, for a criminal violation of a
11 law of another state involving the provision or receipt of or
12 assistance with reproductive health care services, as defined in
13 section 1 of this act, that are legal in this State, unless the acts
14 forming the basis of the prosecution or investigation also would
15 constitute an offense in this State.

16
17 4. A public entity of this State or employee, appointee, officer
18 or official or any other person acting on behalf of a public entity
19 shall not provide any information or expend or use time, money,
20 facilities, property, equipment, personnel or other resources in
21 furtherance of any interstate investigation or proceeding seeking to
22 impose civil or criminal liability upon a person or entity for:

23 (1) the provision, seeking or receipt of or inquiring about
24 reproductive health care services, as defined in section 1 of this act,
25 that are legal in this State; or

26 (2) assisting any person or entity providing, seeking, receiving or
27 responding to an inquiry about reproductive health care services, as
28 defined in section 1 of this act, that are legal in this State.

29 This section shall not apply to any investigation or proceeding
30 where the conduct subject to potential liability under the
31 investigation or proceeding would be subject to liability under the
32 laws of this State if committed in this State.

33

34 5. This act shall take effect immediately.

35

36

37

STATEMENT

38

39 This bill authorizes countersuits following a judgment based on
40 liability for the provision of reproductive health care services that
41 are permitted under New Jersey law. The bill also clarifies access to
42 reproductive health care services in New Jersey by persons from
43 other states. The bill provides that "reproductive health services"
44 includes all medical, surgical, counseling, or referral services
45 relating to the human reproductive system, including services
46 relating to pregnancy, contraception, or termination of a pregnancy.

47 COUNTERSUITS

48 Under the bill, when a judgment has been entered against a
49 person in any state where liability, in whole or in part, is based on

1 the alleged provision, receipt, assistance in receipt or provision,
2 material support for, or any theory of vicarious, joint, several or
3 conspiracy liability derived therefrom, for reproductive health care
4 services that are permitted under the laws of this State, the person
5 may recover damages from any party that brought the action leading
6 to that judgment or has sought to enforce that judgment.

7 Recoverable damages would include money damages in the
8 amount of the judgment in that other state and costs, expenses, and
9 reasonable attorney's fees spent in defending the action. In addition,
10 costs, expenses, and reasonable attorney's fees incurred in bringing
11 an action under the bill may also be recovered as allowed by the
12 court.

13 The bill would not apply to a judgment entered in another state
14 that is based on:

15 (1) an action founded in tort, contract, or statute, and for which a
16 similar claim would exist under the laws of this State, brought by
17 the patient who received the reproductive health care services upon
18 which the original lawsuit was based or the patient's authorized
19 legal representative, for damages suffered by the patient or damages
20 derived from an individual's loss of consortium of the patient;

21 (2) an action founded in contract, and for which a similar claim
22 would exist under the laws of this State, brought or sought to be
23 enforced by a party with a contractual relationship with the person
24 that is the subject of the judgment entered in another state; or

25 (3) an action where no part of the acts that formed the basis for
26 liability occurred in this State.

27 CONFIDENTIAL HEALTH COMMUNICATIONS

28 The bill also provides that a communication to a health care
29 provider, information obtained by the health care provider by a
30 patient or the patient's legal representative, or information obtained
31 from an examination of a patient relating to reproductive health
32 care services is not to be disclosed unless the patient or that
33 patient's authorized legal representative explicitly consents to the
34 disclosure in writing. A provider would be required to inform the
35 patient or the patient's representative of the patient's right to
36 withhold written consent.

37 Written consent would not be required for the disclosure if it is:
38 pursuant to State law or the Rules of Court; by a health care
39 provider to the provider's attorney or liability insurer for use in
40 defense of such action or proceeding; to the Department of Health
41 in connection with an investigation of child abuse, or abuse of a
42 person who is elderly, incapacitated, or has a physical or mental
43 disability. The bill also specifies that it is not to be construed to
44 impede the lawful sharing of medical records as permitted by State
45 or federal law or the
46 Rules of Court, except in the case of a subpoena commanding the
47 production, copying or inspection of medical records relating to
48 reproductive health care services.

1 CERTAIN SUBPOENAS BARRED

2 The bill bars a court from issuing a subpoena requested by any
3 court of the United States or of any other state or government if the
4 subpoena relates to reproductive health care services that are
5 permitted under the laws of this State, unless the subpoena relates to
6 an out-of-State action founded in tort, contract, or statute, for which
7 a similar claim would exist under the laws of this State, brought by
8 a patient or the patient's authorized legal representative, for
9 damages suffered by the patient or damages derived from an
10 individual's loss of consortium of the patient; or an out-of-State
11 action founded in contract, and for which a similar claim would
12 exist under the laws of this State, brought or sought to be enforced
13 by a party with a contractual relationship with the person that is the
14 subject of the subpoena.

15 The bill also bars a court from issuing a summons in a case
16 where prosecution is pending, or where a grand jury investigation
17 has commenced or is about to commence, for a criminal violation of
18 a law of another state involving the provision or receipt of or
19 assistance with reproductive health care services unless the acts
20 forming the basis of the prosecution or investigation also would
21 constitute an offense in this State.

22 NON-COOPERATION BY PUBLIC ENTITY

23 Under the bill, a public entity of this State or employee,
24 appointee, officer or official or any other person acting on behalf of
25 a public entity may not provide any information or expend or use
26 time, money, facilities, property, equipment, personnel or other
27 resources in furtherance of any interstate investigation or
28 proceeding seeking to impose civil or criminal liability upon a
29 person or entity for the provision, seeking or receipt of or inquiring
30 about reproductive health care services that are legal in this State,
31 assisting any person or entity providing, seeking, receiving or
32 responding to an inquiry about reproductive health care services.
33 This provision of the bill would not apply to any investigation or
34 proceeding where the conduct subject to potential liability under the
35 investigation or proceeding would be subject to liability under the
36 laws of this State if committed in this State.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2633

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 27, 2022

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 2633.

This bill concerns protections with respect to the nondisclosure of patient information relating to reproductive health care services, as well as protecting access to health care, medical services, and procedures related to an abortion for persons who come to this State from jurisdictions in which such actions are illegal. The bill defines “reproductive health care services” as “all medical, surgical, counseling, or referral services relating to the human reproductive system including, but not limited to, services relating to pregnancy, contraception, or termination of a pregnancy.”

The bill generally provides that in any civil action or other proceeding preliminary thereto, a medical provider or other covered entity, as described under federal law concerning medical privacy and security, would be barred from disclosing the following communications or information, unless the patient or patient’s conservator, guardian, or other authorized legal representative explicitly consented in writing to the disclosure:

- any communication made to the covered entity, or any information obtained by the covered entity from, a patient or the conservator, guardian, or other authorized legal representative of a patient relating to reproductive health care services that are permitted under the laws of this State; or
- any information obtained by personal examination of a patient relating to reproductive health care services that are permitted under the laws of this State.

A covered entity would be required to inform the patient or the patient’s conservator, guardian, or other authorized legal representative of the patient’s right to withhold written consent at or before the time reproductive health care services are rendered, or at such time as the patient discloses any information relating to reproductive health care services that have been previously rendered.

Written consent would not be required for the disclosure if it is: pursuant to State law or the Rules of Court; by a covered entity, against which a claim has been made, to the entity’s attorney or

liability insurer for use in defense of such action or proceeding; made to the Commissioner of Health, Human Services, or Banking and Insurance, or any professional licensing board operating under the authority of the Division of Consumer Affairs in the Department of Law and Public Safety, when seeking patient records in connection with an investigation; or done in connection with a known or suspected instance of child abuse, or abuse of a person who is elderly, incapacitated, or has a physical or mental disability.

The bill also specifies that its provisions are not to be construed to conflict with or displace any requirements or conditions for disclosure under federal law, or otherwise impede the lawful sharing of medical records as permitted by State or federal law or the Rules of Court.

Additionally, a public entity of this State or employee, appointee, officer, or official or any other person acting on behalf of a public entity would be prohibited from providing any information, or expending or using time, money, facilities, property, equipment, personnel or other resources in furtherance of any interstate investigation or proceeding seeking to impose civil or criminal liability upon a person or entity for:

- the provision, receipt, or seeking of, or inquiring or responding to an inquiry, about reproductive health care services that are legal in this State; or
- assisting, advising, aiding, abetting, facilitating, soliciting, or conspiring with any person or entity providing, receiving, seeking, or inquiring or responding to an inquiry about, reproductive health care services that are legal in this State.

These provision would not apply to any investigation or proceeding when the conduct being examined would be subject to liability under the laws of this State if committed in this State. The provisions would also not apply if it is necessary for the public entity or person to engage in conduct otherwise prohibited by the bill in order to comply with a valid order issued by a court with jurisdiction over the public entity or person, or to comply with applicable provisions of State or federal law.

Lastly, the bill provides that various professional licensing boards operating under the authority of the Division of Consumer Affairs in the Department of Law and Public Safety could not refuse to admit a person to an examination and could not suspend, revoke, or refuse to renew any certificate, registration, or license based solely on grounds that the applicant's or the certificate, registration, or license holder's provision of, authorization of, participation in, referral for, or assistance with any health care, medical service, or procedure related to an abortion was done for a person who resides in a jurisdiction where the provision, authorization, participation, referral, or assistance is illegal, if the provision, authorization, participation, referral, or assistance would not be a basis for

refusing to admit a person to an examination or for suspending, revoking, or refusing to renew a certificate, registration, or license in this State.

The committee amendments to the bill:

- eliminate section 1 of the bill as introduced, which provided for persons to pursue countersuits against parties who receive judgments in other jurisdictions for reproductive health care services lawfully available or obtained by persons in this State, but are not permitted in the other jurisdiction;

- eliminate section 3 of the bill as introduced, which barred the issuance of certain court subpoenas for out-of-State actions relating to various claims concerning reproductive health care services;

- modify the categories of communications and information that a medical provider or other covered entity would be barred from disclosing in any civil action or other proceeding preliminary thereto without written consent, as described in the statement above;

- provide that notification about whether or not written consent to disclose communications or information in any civil action or other proceeding preliminary thereto should be done at or before the time reproductive health care services are rendered, or at such time the patient discloses any information relating to previously rendered services;

- update the categories of communications or information that may be disclosed without the need for written consent by a patient or the patient's legal representative, as described in the statement above;

- clarify that the bill's provisions should not be construed to conflict with or displace any requirements or conditions for disclosure under federal law;

- expand the categories of activities associated with seeking or obtaining reproductive health care services for which a public entity or person acting on behalf of that public entity would not provide any information or expend any resources in furtherance of any interstate investigation or proceeding, as explained in the statement above;

- prohibit various professional licensing boards operating under the authority of the Division of Consumer Affairs in the Department of Law and Public Safety to refuse to admit a person to an examination, or to take any adverse action concerning a board-issued license, certificate, or registration for assisting a person, when that person resides in a jurisdiction where assistance with any health care, medical service, or procedure related to an abortion is illegal, but not illegal in this State, as described in the statement above; and

- amend the bill's title and synopsis to more accurately reflect changes made by the amendments.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2633
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JUNE 30, 2022

SUMMARY

Synopsis: Authorizes certain countersuits concerning liability for providing reproductive health care services permitted under State law; clarifies access to these services in New Jersey by out-of-State persons.

Type of Impact: Annual State expenditure increases.

Agencies Affected: The Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase		Indeterminate	

- The Office of Legislative Services (OLS) concludes that the Judiciary may experience an increase in caseload and therefore an indeterminate annual increase in expenditures under this bill. This bill authorizes countersuits following a judgment against an individual in another state based on liability for the provision of reproductive health care services that are permitted under New Jersey law. It is not known how many such countersuits will occur in a given year to determine the extent of the Judiciary's caseload increase.

BILL DESCRIPTION

This bill authorizes countersuits following a judgment based on liability for the provision of reproductive health care services that are permitted under New Jersey law. The bill provides that reproductive health services includes all medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to pregnancy, contraception, or termination of a pregnancy.

When a judgment has been entered against a person in any state where liability, in whole or in part, is based on the alleged provision, receipt, assistance in receipt or provision, material support for, or any theory of vicarious, joint, several or conspiracy liability derived therefrom, for reproductive health care services that are permitted under the laws of this State, the person

may recover damages from any party that brought the action leading to that judgment or has sought to enforce that judgment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the Judiciary may experience an increase in caseload and therefore an indeterminate annual increase in expenditures under this bill. This bill authorizes countersuits following a judgment against an individual in another state based on liability for the provision of reproductive health care services that are permitted under New Jersey law. It is not known how many such countersuits will occur in a given year to determine the extent of the Judiciary's caseload increase and the related expenditure increase.

Section: Judiciary

*Analyst: Anuja Pande Joshi
Associate Research Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Signs Legislation to Protect Reproductive Health Care Providers and Out-of-State Residents Seeking Reproductive Services in New Jersey

07/1/2022

TRENTON – With abortion expected to become illegal or heavily restricted in about half of all states now that the U.S. Supreme Court has overturned *Roe v. Wade*, Governor Phil Murphy today signed two bills to protect individuals who receive and provide reproductive health care services in New Jersey.

“While others throughout the country are revoking a woman’s right to reproductive freedom, New Jersey will continue to defend this fundamental right in our state,” **said Governor Murphy**. “By bolstering protections against potential repercussions for both health care professionals and patients, we are sending a message to all who seek or provide reproductive health care within our borders that we welcome and support you. These laws represent our commitment to standing by a woman’s right to make her own decisions about her body, and will serve to make our state a beacon of freedom to every woman in America.”

“While the U.S. Supreme Court’s decision in *Dobbs* may be among the most devastating and profoundly wrong rulings in American history, it will not stop us from using every available tool to continue protecting the right to choose,” **said Acting Attorney General Matthew J. Platkin**. “These two critical laws further our commitment to protecting abortion rights for New Jersey residents and anyone else who comes to our State seeking care. These laws also provide critical protections for health care providers and for patients’ privacy. I am grateful for Governor Murphy’s commitment to protecting women’s rights and reproductive freedom, and I am grateful to the Legislature for passing these important bills.”

The legislation establishes protections for patients and providers. For patients, the legislation helps ensure residents of other states who seek reproductive health care in New Jersey can access confidential care without fear of prosecution. For providers, the legislation insulates healthcare practitioners from New Jersey-initiated disciplinary actions based on the provision of reproductive health care, including abortion, that is legal in New Jersey.

The first bill (A-3975/S-2633) would generally prevent the disclosure of a patient’s medical records related to reproductive health care without their consent in any civil, probate, legislative or administrative proceeding. It would also prohibit public entities and employees from cooperating with interstate investigations aiming to hold someone liable for seeking, receiving, facilitating, or providing reproductive health care services that are legal in New Jersey.

It would further protect providers by prohibiting New Jersey licensing boards from suspending, revoking, or refusing to renew the license or registration of a professional based solely on their involvement in the provision of reproductive health care services.

The second bill (A-3974/S-2642) would prevent the extradition of an individual within New Jersey to another state for receiving, providing, or facilitating reproductive health care services that are legal in New Jersey.

Primary sponsors of both bills include Senators Nia Gill, Nellie Pou, and Gordon Johnson, and Assembly members Lisa Swain, Mila Jasey, and Raj Mukherji.

“Last week, the Supreme Court took a drastic step backwards by repealing a landmark decision that was the cornerstone for protecting reproductive freedom in America. This decision has been the catalyst for continued efforts to enact more robust laws that amplify and defend a woman’s right to choose in New Jersey,” **said Senate Majority Leader M. Teresa Ruiz**. “Because of the provisions that are being enacted today, the ability to seek out and receive safe and legal reproductive health services will become a guaranteed right for all who wish to access them in our state. While this does not change the tragic reality for many individuals living in places where reproductive rights have been stripped away, anyone who chooses to come to New Jersey and receive an abortion will be safeguarded from facing criminal charges in their home state. I am proud to lead and govern in a state where the value and importance of ensuring the right to choose is prioritized and respected.”

"I would like to thank the Governor for signing these key measures to protect the right for anyone to receive an abortion in this State into law today," **said Senator Nia Gill**. "The Supreme Court's decision to overturn Roe v. Wade has left millions of women devastated, as their right to make their own health decisions is now in jeopardy. With this legislation in place, anyone, regardless of where they are from, can receive reproductive health services in this state and will be protected under New Jersey State Law. Our state has a duty to defend those engaging in their reproductive rights from punitive out-of-state restrictions on their freedoms, and I am happy to say that the right to choose is a sacred right for all in New Jersey."

"The Supreme Court's ruling overturning Roe v. Wade notwithstanding, we in New Jersey believe that questions and decisions regarding a person's reproductive health care and well-being are private, and should be best left to the individual and their provider. These bills are meant to bolster that basic right to access quality and safe reproductive health care to all New Jersey residents, and also to protect those from outside who might come to our state seeking health services that are unavailable to them at home," **said Senator Nellie Pou**. "The fundamental right to privacy that was part of the original Roe decision is still relevant today, and is also integral to these new laws that will offer basic protection for those seeking and those administering reproductive health care in New Jersey."

"Access to reproductive health services are vital to a woman's overall health and well-being. In the wake of the Supreme Court's ruling in the Dobbs case, we must continue to do all we can to protect people's health-care choices," **said Senator Gordon Johnson**. "While persons in New Jersey are guaranteed the right to make decisions about their bodies and health, this legislation affords those same protections for persons coming from out-of-State."

"We acted in January of this year with a preemptive strike to ensure New Jersey women are not affected by the whims of Scotus and their overturning of Roe v. Wade," **said Assemblywoman Lisa Swain**. "Women and their doctors are the only individuals necessary to make choices about their bodies and reproductive health. This new law aims to protect medical professionals who provide reproductive healthcare services in New Jersey that is in violation of any other state's laws and prohibits the use of extradition. We will continue to protect women and ensure they can make their own medical decisions partnered with their doctors."

"Many states have already enacted laws that will prohibit a woman's right to make personal decisions with her doctor about her health care," **said Assemblywoman Mila Jasey**. "We've enacted to allow here in New Jersey to ensure women's rights are protected. This new law is another step."

"With certain states taking radical steps such as allowing civil litigation against New Jersey physicians and healthcare personnel for providing reproductive healthcare and reaching outside their borders to criminalize travel to our state by women availing themselves of fundamental rights protected under New Jersey law, we must act to protect a woman's control over her own bodily autonomy and future," **said Assemblyman Raj Mukherji**. "New Jersey will not extradite women or healthcare providers who are criminally charged under unjust, overreaching laws in another state for protected activities occurring within our state. New Jersey will protect the sacrosanct privacy of people's medical records, and we will not cooperate with efforts to harass our medical providers through extraterritorial litigation for conduct occurring squarely within our borders which falls squarely within our laws."

"Reproductive freedom is a human right, and everyone deserves the opportunity to safely access reproductive health care without facing unjust retaliation," **said Assemblywoman Shanique Speight**. "New Jersey has not only enshrined the right to reproductive freedom into State law on behalf of our own residents, we are also working to make reproductive care available to residents of other states who come here for these crucial services."

"In these troubling times, we must defend reproductive freedom and be a safe haven for women who are seeking the reproductive care they need," **said Assemblywoman Sadaf Jaffer**. "Protecting private patient information and prohibiting professional retaliation against providers are key ways we can work towards this worthy goal."

"Everyone should be able to make their own personal health care decisions – without fear, intimidation, stigma, or delay. New Jersey continues to be a national leader, by passing legislation like S2633/A3975 and S2642/A3974, when it comes to protecting the right to abortion care," **said Kaitlyn Wojtowicz, Vice President of Public Affairs, Planned Parenthood Action Fund of New Jersey**. "We are thankful that leadership, the state legislature, and Governor Murphy have taken swift action to protect patients and providers in New Jersey, and we look forward to continuing the work to ensure that every New Jerseyan can access the care they need, including by passing S2918/A4350 as soon as possible."

This Week in NJ - July 1st, 2022

07/1/2022



Governor Murphy Signs Fiscal Year 2023 Appropriations Act into Law

Governor Phil Murphy signed the Fiscal Year 2023 (FY2023) Appropriations Act into law. The FY2023 budget builds on the historic progress made over the last four years, maintaining the Governor's commitment to prioritizing affordability, while delivering record tax relief and making transformative one-time investments.

The budget once again provides the highest level of school funding in history as the State continues to deliver on a seven-year plan to fully implement the constitutionally-sound school funding formula, makes a second consecutive full pension payment for the first time in more than a quarter century, and supports significant investments in the economy.

"This budget both invests in New Jersey's future while preparing for an uncertain global economy," said **Governor Murphy**. "We have wisely avoided using what may be temporary windfalls for long-term programs. At the same time, we are making significant investments in new capital projects that will make New Jersey a better state to live in while creating countless good-paying jobs. This budget continues to make New Jersey a stronger and more affordable state where opportunity can thrive."

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Governor Murphy Signs Legislation to Protect Reproductive Health Care Providers and Out-of-State Residents Seeking Reproductive Services in New Jersey

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"While others throughout the country are revoking a woman's right to reproductive freedom, New Jersey will continue to defend this fundamental right in our state," said **Governor Murphy**. "By bolstering protections against potential repercussions for both health care professionals and patients, we are sending a message to all who seek or provide reproductive health care within our borders that we welcome and support you. These laws represent our commitment to standing by a woman's right to make her own decisions about her body, and will serve to make our state a beacon of freedom to every woman in America."

"While the U.S. Supreme Court's decision in Dobbs may be among the most devastating and profoundly wrong rulings in American history, it will not stop us from using every available tool to continue protecting the right to choose," said **Acting Attorney General Matthew J. Platkin**. "These two critical laws further our commitment to protecting abortion rights for New Jersey residents and anyone else who comes to our State seeking care. These laws also provide critical protections for health care providers and for patients' privacy. I am grateful for Governor Murphy's commitment to protecting women's rights and reproductive freedom, and I am grateful to the Legislature for passing these important bills."

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Governor Murphy Announces New Jersey Motor Vehicle Commission Chief Administrator Sue Fulton to Join Biden-Harris Administration

Governor Phil Murphy announced that Sue Fulton, Chief Administrator of the New Jersey Motor Vehicle Commission (NJ MVC), will depart the Murphy Administration as of July 1 to join the Biden-Harris Administration as an Assistant Secretary for the U.S. Department of Veterans Affairs. Latrecia "Trish" Littles-Floyd, current NJ MVC Security, Investigations, and Internal Audit Director, and former Lieutenant Colonel in the New Jersey State Police, will serve as Acting Chief Administrator beginning July 1.

"Sue has been a leading voice and an invaluable asset to my administration and to the state of New Jersey during her time at NJ MVC," said **Governor Murphy**. "Under Sue's committed leadership, the MVC has evolved into an agency that is more efficient, better organized, and fully equipped to respond to the needs of motorists across the state. While she will be missed, I look forward to seeing her continued leadership and future accomplishments as she serves the Biden-Harris Administration in her new role."

"I also look forward to the future of NJ MVC under the leadership of Trish Littles-Floyd," continued **Governor Murphy**. "Trish served our state in the New Jersey State Police, where she dedicated over 20 years to making our state stronger and fairer. She has also led NJ MVC in her capacity as Security, Investigations, and Internal Audit Director. This unique experience, coupled with her dedication to serving New Jerseyans, make her extremely qualified to serve as Acting Chief Administrator."

"It has been an extraordinary honor to serve the people of New Jersey and Governor Murphy these past four years," said **NJ MVC Chief Administrator Sue Fulton**. "The NJMVC team showed their determination, skill, and knowledge in revamping the MVC despite unprecedented obstacles. We serve more customers with more convenience in less time than ever before. Trish has been part of that transformation and I'm delighted to see her bring her leadership, experience, and commitment to the Chief Administrator post."

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Acting Attorney General Platkin, National Coalition of Attorneys General Issue Joint Statement Reaffirming Commitment to Protecting Access to Abortion Care

Acting Attorney General Matthew J. Platkin and a national coalition of Attorneys General issued a joint statement reaffirming their commitment to supporting and expanding access to abortion care. Despite the U.S. Supreme Court decision in *Dobbs v. Jackson Women's Health Organization*, access to safe and legal abortion remains robustly protected in numerous states across the country, including New Jersey. As highlighted by the multistate coalition's efforts in a U.S. Supreme Court amicus brief filed in *Dobbs*, the participating Attorneys General will continue to fight to support the rights of pregnant people nationwide.

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Statement from Governor Murphy on the Supreme Court's Decision in West Virginia v. Environmental Protection Agency

"Throughout the past week, the Supreme Court's far-right majority has made it abundantly clear: governments can control women's bodies, but not the guns that endanger our communities or the polluters who imperil the future of our planet. Today's decision in West Virginia v. Environmental Protection Agency rolls back federal progress under the Clean Air Act and threatens to exacerbate climate change while severely impacting the health of Americans across the country. In the wake of yet another tragic ruling, we will continue to do everything in our power to combat the climate crisis and preserve New Jersey's environmental and public health. And we will continue charging toward our ambitious goal of creating a 100-percent clean energy economy by 2050."

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