

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 15, 2023
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB23-188 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 10, strike lines 24 through 27 and substitute
2 "MEANS REFUSING OR FAILING TO PAY A PROVIDER FOR OTHERWISE
3 COVERED SERVICES AS DEFINED IN THE APPLICABLE HEALTH BENEFIT
4 PLAN."

5 Page 26, strike lines 1 through 12 and substitute:

6 (c) RESTRICT ANY NATURAL OR LEGAL PERSON IN PERFORMING,
7 OR PROHIBIT ANY NATURAL OR LEGAL PERSON FROM PROVIDING,
8 REPRODUCTIVE HEALTH CARE THROUGH THE IMPOSITION OF LICENSING,
9 PERMITTING, CERTIFICATION, OR SIMILAR LEGISLATIVE OR REGULATORY
10 REQUIREMENTS THAT APPLY SOLELY TO PROVIDERS OF REPRODUCTIVE
11 HEALTH CARE; OR

12 (d) PROSECUTE OR OTHERWISE CRIMINALLY SANCTION ANY
13 NATURAL OR LEGAL PERSON FOR PROVIDING, ASSISTING IN THE PROVISION
14 OF, ARRANGING FOR, OR OTHERWISE ASSISTING A PERSON IN ACCESSING
15 REPRODUCTIVE HEALTH CARE PERFORMED WITHIN THE SCOPE OF
16 APPLICABLE PROFESSIONAL LICENSURE AND CERTIFICATION
17 REQUIREMENTS."

18 Page 26, line 21, after "(e)" insert "(I)".

19 Page 26, strike line 27 and substitute "(1)(d)".

20 Page 27, strike lines 1 and 2 and insert:

21 "(II) A PERSON OR ENTITY THAT IS A RELIGIOUS ORGANIZATION IS
22 NOT SUBJECT TO THE REQUIREMENTS OF THIS SUBSECTION (1)(e) IF THE

1 PROVISION OF, OR ASSISTANCE IN THE PROVISION OF, A LEGALLY
2 PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION 12-30-120
3 (1)(d), CONFLICTS WITH THE RELIGIOUS ORGANIZATION'S BONA FIDE
4 RELIGIOUS BELIEFS AND PRACTICES."

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