HB 277 - AS INTRODUCED

2023 SESSION

23-0028
04/08

HOUSE BILL ***277***

AN ACT relative to patients' right to sterilization treatment.

SPONSORS: Rep. Read, Rock. 10; Rep. Kenney, Straf. 10; Rep. Levesque, Straf. 4; Rep. Vogt, Rock. 21; Rep. Hynes, Hills. 2; Rep. Newell, Ches. 4; Rep. Roesener, Merr. 22; Rep. Popovici-Muller, Rock. 17

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill adds a provision to the patients' bill of rights related to a patient's request for a procedure that may leave the patient sterile.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 277 - AS INTRODUCED

23-0028
04/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to patients' right to sterilization treatment.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Patients' Bill of Rights. Amend RSA 151:21 by inserting after paragraph XXIII the following new paragraph:

XXIV.(a) If a patient has a medical condition for which a medically advisable course of treatment may include a procedure that leaves the patient sterile and unable to bear children, the physician shall not deny the procedure on the basis of perceived future reproductive desires of the patient. The physician may require the patient to sign an informed consent and waive all damages from the procedure related to sterilization only. A physician who violates this right may be disciplined pursuant to RSA 329.

(b) If a patient who is 18 years of age or older wishes to have a sterilization procedure unrelated to any underlying medical condition, the physician shall not deny the patient on the basis of perceived future reproductive desires of the patient, without referring the patient to a physician who is willing to conduct the procedure and who accepts the patient's form of payment.

(c) A patient who has signed an informed consent or a waiver of medical advice and proceeds with sterilization treatment against medical advice shall have no civil right of action against any health care provider or health care institution on the basis of the patient being rendered sterile and unable to have children. This subparagraph shall not provide immunity against any purposeful, reckless, or negligent act of a health care provider or health care institution.

2 Effective Date. This act shall take effect 60 days after its passage.