

HB 606 - AS AMENDED BY THE SENATE

05/15/2025 1982s

2025 SESSION

25-0879

05/11

HOUSE BILL

606

AN ACT relative to a patient's right to appropriate reproductive care for medical conditions.

SPONSORS: Rep. Read, Rock. 10; Rep. Layon, Rock. 13; Rep. Newell, Ches. 4; Rep. Popovici-Muller, Rock. 17; Rep. Spahr, Graf. 12

COMMITTEE: Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill affirms a patient's right to receive appropriate reproductive care for a medical condition when such care may include a procedure or medication that leaves the patient sterile or unable to have children.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to a patient's right to appropriate reproductive care for medical conditions.

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

1 1 New Section; Physicians and Surgeons; Right to Appropriate Reproductive Care for Medical
2 Conditions. Amend RSA 329 by inserting after section 31-b the following new section:

3 329:31-c Right to Appropriate Reproductive Care for Medical Conditions.

4 I. If a patient who is 18 years of age or older has a medical condition for which a medically
5 advisable course of treatment or precautionary measure may include a procedure, medication, or
6 treatment that leaves the patient sterile or unable to have children, the physician shall not deny the
7 treatment on the basis of age, number of children, marital status, or fertility goals contrary to the
8 patient's statement. The physician may require the patient to sign an informed consent and waive
9 all damages from the procedure related to sterilization. A physician who violates this right may be
10 subject to disciplinary action by the board of medicine.

11 II. A patient who has signed an informed consent or a waiver and proceeds with appropriate
12 reproductive care for a medical condition shall have no civil right of action against any health care
13 provider or health care institution on the basis of the patient being rendered sterile or unable to
14 have children. This paragraph shall not provide immunity against any purposeful, reckless, or
15 negligent act of a health care provider or health care institution.

16 III. For purposes of this section, "medical condition" means any disease, disorder, syndrome,
17 symptoms, genetic predisposition or family medical history, or the state of being medicated, that
18 either affect the reproductive system, or make reproduction not advisable either for the medical
19 interest of the patient or for potential children. "Appropriate reproductive care for a medical
20 condition" shall include the following: a hysterectomy (uterus), oophorectomy (ovaries), orchiectomy
21 (testicles), salpingectomy (fallopian tubes), endometrial ablation, or medications that may affect
22 fertility. For the purposes of this section, gender dysphoria shall not be considered a medical
23 condition that affects the reproductive system or makes reproduction inadvisable; however, a patient
24 who has a medical condition as defined in this paragraph shall not be denied a sterilizing treatment
25 on the basis of having gender dysphoria.

26 IV. A patient who has been denied appropriate reproductive care for a medical condition as
27 defined in paragraph III may seek review of the decision by the board of medicine within 3 years of
28 the last denial to determine whether the denial was consistent with this section. A violation of this
29 section shall be subject to review and disciplinary action by the board of medicine in conjunction

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1 with the office of professional licensure and certification under RSA 310, and shall not be subject to
2 further civil liability or criminal penalty.

3 2 New Paragraph; Board of Medicine; Rulemaking; Denial of Appropriate Reproductive Care for
4 Medical Conditions. Amend RSA 329:9 by inserting after paragraph XXI the following new
5 paragraph:

6 XXII. Review of complaints asserting a violation of RSA 329:31-c, relative to appropriate
7 reproductive care for medical conditions, including disciplinary proceedings under RSA 310:10 and
8 assessment of fines under RSA 310:12.

9 3 Effective Date. This act shall take effect 60 days after its passage