



HB 1769: relative to certain prohibitions on abortion referrals by publicly funded medical facilities.

Committee: House Judiciary

Date: February 9, 2026

Position: Oppose

HB 1769 would prohibit medical facilities and individual providers from referring for abortion unless the provider also gives a referral to an anti-abortion center. It would also prohibit government contracts with or funding organizations that refer for abortion, with the same exceptions. Planned Parenthood of Northern New England/Planned Parenthood NH Action Fund **opposes this bill because it would require medical professionals to deliver false and medically inaccurate information to their patients.** Planned Parenthood's top concern is providing patients with the highest quality of care. The relationship between health care provider and patients is, and must continue to be, dictated by professional ethics and best medical practices.

This bill unnecessarily interferes in the health care provider and patient relationship by forcing unnecessary and medically inaccurate obstacles. HB 1769 disregards standard medical care regarding comprehensive and individual care for patients by trained and regulated providers. Anti-abortion centers, sometimes called "crisis pregnancy centers," do not offer comprehensive medical care – they don't offer comprehensive information, counseling, or abortion referrals. They also may attempt to delay care. Anti-abortion health centers, including here in New Hampshire, are not regulated by any medical standards or guidelines. Medical care in the reproductive health or gynecology field, including abortion, is provided by medical professionals who are licensed by the NH Board of Medicine and the NH Board of Nursing. These Boards oversee the education, background and training of every doctor, nurse, nurse practitioner, and physician assistant in New Hampshire.

This bill removes the guarantee that a patient is getting medically accurate information from their trusted health care providers. We can all agree that patients should have access to the best medical care and information possible. Unfortunately, this bill's added requirements undermine that goal.

This bill essentially dismantles what is left of the New Hampshire Family Planning Program by creating a "gag rule" on participants. NH's Family Planning Program, which is under maternal health in the state budget, is funding for preventative reproductive health care such as birth control, STI testing and treatment, and cancer screenings; it does not, and cannot, cover abortion care. Patients must already pay out-of-pocket or with private

insurance for abortion care. This program, which was reduced by 50% in the current state budget, currently has no abortion providers in the program. Since 2021, New Hampshire's Executive Council has rejected the contracts that were fairly awarded through DHHS to PPNNE and two other abortion providers. This rule would force the [existing 6 locations](#) to provide medically inaccurate health care information to their patients in order to keep their funding for essential health care for lower income individuals. **Because PPNNE is not currently in the program, this bill would have the most impact on the existing providers within the program.**

Importantly, New Hampshire has seen the impacts of a policy like this during the first Trump administration's "gag rule" which caused most providers to leave the NH Family Planning Program rather than disregard standard medical care.

HB 1769's requirement to refer patients to anti-abortion centers in order to receive fairly awarded contracts raises significant First Amendment concerns, as it mandates medical professionals and organizations to deliver ideological messages unrelated to informed consent. The First Amendment prohibits the state from turning medical professionals into spokespeople by forcing them to provide non-medical speech along with their professional referral.

HB 1769 exposes medical professionals to excessive lawsuits by providing a right of action to any "aggrieved" taxpayers against public entities that violate the contract and funding prohibition. This bill singles providers who provide care for lower-income Granite Staters and who are working to improve our public health outcomes in our state.

HB 1769 will compromise New Hampshire's medical community, and in particular the medical professionals who offer low cost or no cost family planning services, the ability to provide medically accurate patient-centered care, and the provider-patient relationship. **This bill does nothing to contribute to the health of patients, our communities, or the public, and only serves to spread medical misinformation. We urge this committee to "ITL" HB 1769.**

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Planned Parenthood of Northern New England (PPNNE) is the largest provider of reproductive and sexual health care across the State of New Hampshire. We serve New Hampshire residents through 5 health centers in Derry, Exeter, Keene, Manchester and White River Junction, VT. Last year we saw more than 10,000 patients at these sites. [PPNNE was named a 2021 Guardian of Excellence Award® winner](#) by [Press Ganey](#), the national leader in health care consumer and workforce engagement. Press Ganey recognizes PPNNE as a top-performing health care organization, achieving the 95th percentile or above for performance in patient experience, out of more than 20,000 medical practices.

Planned Parenthood New Hampshire Action Fund (PPNHAF) is an independent, nonpartisan, not-for-profit organization formed as the advocacy and political arm of Planned Parenthood of Northern New England in New Hampshire. The Action Fund engages in educational and electoral activity, including voter education, grassroots organizing, and legislative advocacy.