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CA FAB Council and LWC Joint Statement on 2023 Abortion Bill Package Successfully Passing CA State Legislature

SACRAMENTO — The California Assembly and Senate have passed the 2023 legislative package championed by the California Future of Abortion Council (CA FAB Council) and introduced by the California Legislative Women’s Caucus (LWC). The package strengthens existing measures to defend access to abortion care and contraception in California. The CA FAB Council Steering Committee and the LWC urge Governor Gavin Newsom to sign the package of bills to advance California’s leadership in prioritizing, protecting, and expanding reproductive freedom and access to essential health services.

Members of the LWC introduced the bill package earlier this year based on the CA FAB Council’s 2022 recommendations that outlined additional protections needed in the face of the devastating impacts of the Dobbs decision. The bill package now includes 12 pieces of legislation.

The CA FAB Council Steering Committee—comprised of ACCESS REPRODUCTIVE JUSTICE, Black Women for Wellness Action Project, California Latinas for Reproductive Justice, Essential Access Health, NARAL Pro-Choice California, National Health Law Program, Planned Parenthood Affiliates of California, and TEACH (Training in Early Abortion for Comprehensive Healthcare)—commends the Assembly and Senate for passing these critical bills, which among other things, improve safe haven protections, defend patient digital security, and expand provider protections for provision of both abortion and gender-affirming care.

In 2022, California policymakers passed historic legislation and made critical, unprecedented investments in reproductive healthcare based on the initial CA FAB Council recommendations, which made tremendous strides to ensure that all people in California—including those who are forced to travel here for care due to harmful bans and restrictions in their home states—have access to essential health care. The 2023 bill package makes these necessary measures even more comprehensive, making California better equipped to respond to the increased need for these services.

“After the Supreme Court overturned Roe, the Legislative Women’s Caucus joined with the CA Future of Abortion Council to enact landmark laws that ensured California’s place as the national



leader for reproductive freedom. This year, as states across the country continue to criminalize abortions, contraception, and other essential health care, the LWC and the FAB Council are fighting back with more groundbreaking bills now on their way to Governor Newsom's desk. We will not back down in the fight to protect and retain our right to govern our own bodies," said California state Senator Nancy Skinner, D-Berkeley, chair of the LWC.

In response to the bill package advancing to the Governor for signature, the FAB Council Steering Committee stated: "As more states enact increasingly extreme abortion restrictions, California continues to lead the way in pioneering innovative policies to protect and expand access to the full spectrum of sexual and reproductive health care. The 2023 legislative package not only strengthens the legal protections for people seeking or providing abortion and gender-affirming care, but it includes crucial reforms to make sure that these basic health care services are accessible and affordable for all who need them. We cheer the California Women's Legislative Council for exemplifying the exact kind of leadership we need as we continue the work to make California a reproductive freedom state."

"With this bill package, California is doing the important work of protecting reproductive freedom from multiple angles," the FAB Council Steering Committee continued. "Ensuring access to reproductive and gender-affirming healthcare is about more than just keeping clinics open—states need to maintain insurance coverage for criminalized procedures, protect medical professionals who are being targeted for providing care, expand access to patient and provider abortion education, and take other measures to make reproductive healthcare genuinely attainable." Governor Newsom has already signed one of the bills in the package:

SB 385 (Atkins) Expands and modernizes reproductive care training for physician assistants, increasing and reinforcing the abortion provider workforce in California.

The measure will take effect January 1, 2024.

The following 11 bills are now headed to the Governor's desk for consideration:

SB 345 (Skinner) Creates shield law for CA health providers who dispense medication abortion or gender-affirming care and services to patients in other states. Also, strengthens safe haven protections for abortion and gender-affirming care by prohibiting bail agents or bounty hunters from apprehending people in California.

SB 487 (Atkins) Provides additional safeguards for California abortion providers and other entities and individuals that serve and support abortion patients that reside in states with hostile abortion laws.



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AB 254 (Bauer-Kahan) Provides privacy protections for digital data related to patients accessing abortion services in California.

AB 352 (Bauer-Kahan) Enhances privacy protections for medical records related to abortion, pregnancy loss, and other sensitive services through electronic health record sharing and health information exchanges.

AB 571 (Petrie-Norris) Ensures that licensed medical providers have access to professional liability insurance coverage without discrimination for providing abortion care, contraception, and gender affirming care.

AB 576 (Weber) Aligns Medi-Cal coverage of medication abortion with evidence-based clinical guidelines.

AB 1194 (Carrillo) Ensures that businesses can't use exemptions under the Consumer Privacy Rights Act (CPRA) to share information about "a consumer accessing, procuring, or searching for services regarding contraception, pregnancy care, and perinatal care, including, but not limited to, abortion services."

AB 1432 (Carrillo) Requires every health insurance policy or certificate that is issued, or delivered to a resident of California, regardless of the situs of the contract, to comply with California laws that require coverage of abortion services and gender affirming Care.

AB 1481 (Boerner) Clarifies Presumptive Eligibility for Pregnant Individuals (currently called PE4PW) coverage policies and ensures PE4PW patients can access abortion services regardless of other health coverage.

AB 1646 (Nguyen) Facilitates guest rotations in medical residency programs in California.

AB 1707 (Pacheco) Builds on existing law to protect reproductive health care providers from adverse actions based on another state's hostile law.

It is essential that all of the remaining bills in the LWC/CA FAB Council package be signed into law. No one piece is more important than the other as each is interconnected and needed to address current barriers to care, support and protect patients, providers, and organizations within and outside of California now navigating a hostile and dangerous post-Roe landscape.

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The “California Future of Abortion Council” (CA FAB Council) is comprised of reproductive freedom and sexual and reproductive health care allies, partners, and leaders. The CA FAB Council works in collaboration with policymakers, researchers, advocates, providers, patients, and key constituents to determine potential challenges in the state and recommend solutions that will continue to provide access and stability for both Californians and those who may seek services here from out of state. The CA FAB Council allows for those dedicated to protecting reproductive rights and expanding access to sexual and reproductive health care to come together. Learn more here: <https://www.cafabcouncil.org/>

The California Legislative Women’s Caucus represents and advocates on behalf of the diverse interests of women, children and families throughout California. It seeks to increase participation and representation of women in state government. The 50 members of the LWC seek to promote sound legislative policies and budget priorities that will improve the well-being of women, children and families and to work cooperatively with local, state and national women’s organizations interested in advancing policies to achieve these same objectives. Learn more here: <https://womenscaucus.legislature.ca.gov/>

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