
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 924 Session of
2023

INTRODUCED BY SOLOMON, WAXMAN, MADDEN, STEELE, SANCHEZ, CEPHAS,
PROBST, SCHLOSSBERG, HILL-EVANS, SHUSTERMAN, OTTEN AND
O'MARA, APRIL 17, 2023

REFERRED TO COMMITTEE ON HEALTH, APRIL 17, 2023

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the Women's
2 Reproductive Health Care Compact to protect women's
3 reproductive health care services; providing for the form of
4 the compact; and imposing additional powers and duties on the
5 Governor.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Women's
10 Reproductive Health Care Compact Act.

11 Section 2. Authority to execute compact.

12 The Governor of Pennsylvania, on behalf of this State, is
13 authorized to execute a compact in substantially the following
14 form with any one or more of the states, districts or
15 territories of the United States, and the General Assembly
16 signifies in advance its approval and ratification of the
17 compact:

18 ARTICLE 1

19 MEMBERSHIP

1 A state, district or territory of the United States of
2 America may become a member state of this compact by enacting
3 this compact.

4 ARTICLE 2

5 DEFINITIONS

6 As used in this compact:

7 "Member state." A state, district or territory of the United
8 States of America, that has entered into this compact.

9 "Reproductive health care services." A medical, surgical,
10 counseling or referral service relating to the human
11 reproductive system, including services relating to pregnancy or
12 the termination of a pregnancy.

13 ARTICLE 3

14 FINDINGS

15 The member states find that:

16 (1) In 1973, Roe v. Wade articulated the protection
17 under the Constitution of the United States of a woman's
18 fundamental right to make reproductive health care decisions.

19 (2) Today, the fundamental right of a woman to make
20 reproductive health care decisions has been denied to
21 millions of women across the United States.

22 (3) In states that are banning or severely restricting
23 abortion care, access to reproductive health care services is
24 now threatened.

25 (4) States must collect data, protect women's
26 reproductive health care service delivery and find ways to
27 work with neighboring states to protect and defend
28 reproductive rights.

29 ARTICLE 4

30 PROHIBITIONS

1 A member state shall work with other member states to:

2 (1) Prevent the extradition or investigation of an
3 individual or entity involved in the provision or receipt of
4 women's reproductive health care services.

5 (2) Prevent the disclosure of records or permitting
6 civil discovery orders for the provision or receipt of
7 women's reproductive health care services.

8 (3) Prevent negative licensing actions or malpractice
9 insurance increases and clawback lawsuits against individuals
10 or entities for the provision or receipt of women's
11 reproductive health care services.

12 (4) Prohibit collection of data on:

13 (i) The number of individuals seeking women's
14 reproductive health care services.

15 (ii) The domicile of an individual seeking women's
16 reproductive health care services.

17 (iii) The form of actions taken against women and
18 their medical providers for seeking out-of-state
19 reproductive health care services.

20 (iv) Barriers identified by women seeking out-of-
21 state reproductive health care services, including costs
22 for transportation, lodging, food and child care and any
23 other relevant issues.

24 ARTICLE 5

25 EXCLUSIONS

26 The following are not subject to this compact:

27 (1) The collection of data not relating to women's
28 reproductive health care services.

29 (2) The collection of information which would constitute
30 a violation of:

1 (i) The Health Insurance Portability and
2 Accountability Act of 1996 (Public Law 104-191, 110 Stat.
3 1936).

4 (ii) Any Federal or state privacy law.

5 ARTICLE 6

6 WITHDRAWAL

7 Any member state may withdraw from this compact with six
8 months' written notice to the chief executive officer of every
9 other member state to the compact.

10 ARTICLE 7

11 ENFORCEMENT

12 The attorney general of each member state shall enforce this
13 compact. A taxpaying resident of any member state has standing
14 in the courts of any member state to require the attorney
15 general of that member state to enforce this compact.

16 ARTICLE 8

17 CONSTRUCTION AND SEVERABILITY

18 This compact shall be liberally construed so as to effectuate
19 its purposes. If any provision of this compact, or the
20 applicability of any provision of this compact to any
21 government, agency, person or circumstance, is declared in a
22 final judgment by a court of competent jurisdiction to be
23 contrary to the Constitution of the United States or is
24 otherwise held invalid, the validity of the remainder of this
25 compact and the applicability of the remainder of this compact
26 to any government, agency, person or circumstance shall not be
27 affected. If this compact is held to be contrary to the
28 constitution of any member state, the compact shall remain in
29 full force and effect as to the remaining member states and in
30 full force and effect as to the affected member state as to all

1 severable matters.

2 Section 3. Operation.

3 (a) General rule.--When the Governor executes the Women's
4 Reproductive Health Care Compact on behalf of this State and
5 files a verified copy with the Secretary of the Commonwealth and
6 when the compact is ratified by one or more other states,
7 districts or territories of the United States, the compact shall
8 become operative and effective between this State and the other
9 states, districts or territories of the United States. The
10 Governor is authorized and directed to take action as may be
11 necessary to complete the exchange of official documents between
12 this State and any other state, district or territory of the
13 United States ratifying the compact.

14 (b) Notice in Pennsylvania Bulletin.--The Secretary of the
15 Commonwealth shall transmit a notice to the Legislative
16 Reference Bureau for publication in the next available issue of
17 the Pennsylvania Bulletin when the conditions specified in
18 subsection (a) are satisfied and shall include in the notice the
19 date on which the compact became effective and operative between
20 this State and any other states, districts or territories of the
21 United States in accordance with this act.

22 Section 4. Effective date.

23 This act shall take effect in 60 days.