

# HOUSE BILL 477

F2, J1

3lr1243  
CF SB 341

---

By: **Delegates Kelly and Smith**

Introduced and read first time: January 30, 2023

Assigned to: Appropriations and Health and Government Operations

---

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2023

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Senior Higher Education Institutions – Reproductive Health Services**  
3 **Plans – Requirements**

4 FOR the purpose of requiring, on or before a certain date, ~~each~~ certain public senior higher  
5 education ~~institution~~ institutions, in consultation with students, to develop and  
6 implement a reproductive health services plan; requiring a certain public senior  
7 higher education institution, in lieu of developing and implementing a reproductive  
8 health services plan, to provide students with access to certain contraception through  
9 certain means; requiring the Maryland Department of Health, on request, to provide  
10 assistance to a public senior higher education institution in developing the plan; and  
11 generally relating to reproductive health services and public senior higher education  
12 institutions.

13 BY adding to  
14 Article – Education  
15 Section 15–136  
16 Annotated Code of Maryland  
17 (2022 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
19 That the Laws of Maryland read as follows:

### Article – Education

21 **15–136.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) (1) IN THIS SECTION, “PUBLIC SENIOR HIGHER EDUCATION  
2 INSTITUTION” ~~HAS THE MEANING STATED IN § 10-101 OF THIS ARTICLE~~ MEANS:

3 (I) THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY  
4 SYSTEM OF MARYLAND;

5 (II) MORGAN STATE UNIVERSITY; AND

6 (III) ST. MARY’S COLLEGE OF MARYLAND.

7 (2) “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION” DOES NOT  
8 INCLUDE:

9 (I) THE UNIVERSITY OF MARYLAND CENTER FOR  
10 ENVIRONMENTAL STUDIES; OR

11 (II) THE UNIVERSITY OF MARYLAND GLOBAL CAMPUS.

12 (B) (1) (I) ~~ON~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
13 PARAGRAPH, ON OR BEFORE AUGUST 1, 2024, EACH PUBLIC SENIOR HIGHER  
14 EDUCATION INSTITUTION, IN CONSULTATION WITH STUDENTS, SHALL DEVELOP AND  
15 IMPLEMENT A REPRODUCTIVE HEALTH SERVICES PLAN TO PROVIDE AT THE PUBLIC  
16 SENIOR HIGHER EDUCATION INSTITUTION OR TO REFER STUDENTS TO A  
17 COMPREHENSIVE RANGE OF REPRODUCTIVE HEALTH SERVICES.

18 (II) IN LIEU OF DEVELOPING AND IMPLEMENTING A PLAN  
19 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE UNIVERSITY OF BALTIMORE  
20 SHALL PROVIDE STUDENTS WITH ACCESS TO OVER-THE-COUNTER  
21 CONTRACEPTION THROUGH ON-CAMPUS RETAIL ESTABLISHMENTS OR VENDING  
22 MACHINES.

23 (2) THE PLAN REQUIRED UNDER PARAGRAPH (1) OF THIS  
24 SUBSECTION SHALL INCLUDE:

25 (I) THE PROVISION OF OR REFERRAL TO OFF-CAMPUS  
26 SERVICES FOR OBTAINING:

27 1. ALL METHODS OF FEDERAL FOOD AND DRUG  
28 ADMINISTRATION-APPROVED CONTRACEPTION, INCLUDING PRESCRIPTION  
29 EMERGENCY CONTRACEPTION;

30 2. PREVENTION AND TREATMENT SERVICES FOR  
31 SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV PREVENTION; AND

3. ABORTION CARE SERVICES;

(II) 24-HOUR ACCESS TO OVER-THE-COUNTER CONTRACEPTION THROUGH THE STUDENT HEALTH CENTER, RETAIL ESTABLISHMENTS ON CAMPUS, OR VENDING MACHINES;

(III) THE AVAILABILITY OF EVIDENCE-BASED REPRODUCTIVE HEALTH EDUCATION SERVICES PROVIDED BY THE STUDENT HEALTH CENTER, PEER EDUCATORS, OR OTHER HEALTH EDUCATION PROGRAMS; AND

(IV) DEVELOPMENT OF A REFERRAL NETWORK OF OFF-CAMPUS REPRODUCTIVE HEALTH SERVICES PROVIDERS, INCLUDING PHARMACIES, LOCATED WITHIN A REASONABLE PROXIMITY TO THE CAMPUS; ~~AND~~

~~(V) ACCESS TO TRANSPORTATION OR OTHER WRAPAROUND SERVICES TO SUPPORT STUDENTS USING OFF-CAMPUS REPRODUCTIVE HEALTH SERVICES.~~

(3) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION SHALL UPDATE THE REPRODUCTIVE HEALTH SERVICES PLAN DEVELOPED UNDER THIS SUBSECTION EACH YEAR.

(C) THE MARYLAND DEPARTMENT OF HEALTH, ON REQUEST, SHALL PROVIDE ASSISTANCE TO A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION IN DEVELOPING A REPRODUCTIVE HEALTH SERVICES PLAN UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.