

March 15, 2023

Senate Judiciary  
Colorado General Assembly  
200 E. Colfax Avenue  
Denver, CO 80203

**RE: In Support of SB23-188, “Protections For Accessing Reproductive Health Care”**

Dear Chair Gonzalez, Vice Chair Rodriguez, Members of the Committee:

Physicians for Reproductive Health (PRH) is a physician-led national advocacy organization working to ensure access to equitable, comprehensive reproductive health care for the communities we serve. This care will always include abortion care and gender-affirming care. Our network includes physicians of various specialties from across the country, including Colorado, committed to meeting the needs of the patients they serve. We write in strong support of SB23-188. Health care providers deserve to care for their patients without fear of harassment or retaliation.

Last year Colorado took bold action in passing the Reproductive Health Equity Act (RHEA) to protect Coloradans fundamental reproductive rights. SB23-188 is a critical opportunity to expand on the groundwork of RHEA by protecting health care providers, patients, and assistants of legally protected health care in Colorado. Expanding protections in this bill to include gender-affirming care alongside full-spectrum reproductive health care recognizes that these fights are intrinsically connected. Anti-abortion and anti-LGBTQ+ policies are designed to strip people of their bodily autonomy, make health care impossible or dangerous to obtain, and reinforce cultural norms that narrowly define gender in a way that is misaligned with medicine, science, and public opinion. As an essential point of access for care in rural communities, such as the mountain region in Colorado, it is imperative that you do everything you can to protect care for Coloradans.

Anti-abortion policymakers will not stop at banning access to care within their own state. Texas’s SB8 was the first bounty-hunter style law and now other restricted states are introducing legislation to target and harass providers, patients, and anyone helping a person access care. There will be many more states that follow. Providers are fearful of facing criminal and civil penalties as states with abortion bans attempt to ban residents from traveling out-of-state to receive care and criminalize the out-of-state providers who provide this care. Health care providers should not have to interrogate their patients about where they live or turn away patients who have traveled to Colorado for care from hostile states for fear of criminal or civil disciplinary actions for providing high-quality, safe, essential health care. Sections 6-9 of SB23-188 would provide protection from criminal and civil investigations. The privacy provisions of SB23-188 found in Sections 10-13 are also necessary to ensure information about protected healthcare is not divulged and that state employees do not participate or assist in interstate investigations concerning protected healthcare. Patients who are traveling to Colorado deserve to receive their healthcare without interference from another state. In this uncertain legal landscape, Colorado must do everything it can to protect providers and ensure they are able to freely provide comprehensive reproductive health care to the patients in front of them.

Additionally, Sections 2-5 of SB23-188 would prevent professional and malpractice discrimination against healthcare workers who provide or assist in the provision of protected healthcare. As abortion bans diminish access to training, the workforce educated and trained in providing abortion care will dwindle.

Protecting providers licensure safeguards access to full spectrum reproductive health care and gender-affirming care for Coloradans now and future generations. No provider should fear professional retaliation for providing safe, essential, necessary health care.

As we work to protect access to care in Colorado, we must consider those who are made most vulnerable. This includes addressing access to care for Coloradans who are incarcerated. Too often incarcerated people are not considered in policy proposals and prisons healthcare policies often neglect pregnant people. As the number of people incarcerated continues to rise, so does the number of incarcerated pregnant people. Incarcerated women are more likely to have [complex medical histories](#) that could negatively impact pregnancy outcomes, including diabetes, hypertension, epilepsy, or cardiac disease. They deserve to know about all their options, including access to abortion providers, referrals to community-based providers of abortion care and community-based organizations that help people pay for abortion care; transportation to access abortion care; and ensured access to miscarriage management. The criminal legal system is used to punish pregnant people for their behaviors during pregnancy and for pregnancy loss. In a system that causes and perpetuates harm, Colorado's legislatures must fight to ensure people who are incarcerated have equal access to health care as articulated in Section 14 of SB23-188.

Importantly, Colorado has an opportunity to help keep providers safe from violence by adopting this bill. Section 15 will help healthcare workers keep their personal information safe. Abortion providers have always faced violence, and in recent years there has been significant [increase](#) in incidence of stalking, blockades, hoax devices/suspicious packages, invasions, and assault and battery. Access to Colorado's address confidentiality program, as put forth in Section 17-20, will give abortion providers an option to protect their address from public records. Having a substitute address is an opportunity for providers to protect their family and loved ones from anti-abortion extremism.

Lastly, we cannot ignore that many of the states banning abortion are also targeting the LGBTQ+ community. Gender-affirming care is safe, essential, life-saving health care that allows transgender and non-binary (TGNB) people to live their full and authentic lives. Leading medical organizations including the [American Academy for Pediatrics](#), [American Medical Association](#), [American College of Obstetricians and Gynecologists](#), [Endocrine Society](#), [Pediatric Endocrine Society](#) and [World Professional Association for Transgender Youth](#) support gender-affirming care for TGNB people. Despite the overwhelming evidence, legislators are vehemently pursuing bans on gender-affirming care, including travel bans. SB23-188 would protect Colorado health care providers and their patients as they provide lawful, necessary, evidence-based care.

Gender-affirming care not only centers the interests and autonomy of the young person receiving care, but also can be lifesaving. Studies have shown that gender-affirming care reduces depression and suicide risk. According to the Trevor Project's [2021 National Survey on LGBTQ Youth Mental Health](#), 94 percent of LGBTQ+ youth reported that recent anti-LGBTQ+ political attacks have negatively impacted their mental health. These attacks are another example of unnecessary government interference in health care services. Everyone should be able to access the care they need, no matter their age or identities, and deserves to have agency over their bodies, families, and futures. Colorado must do everything it can to explicitly protect access to health care for all people.

Abortion and gender-affirming care are health issues, not an issue for the criminal legal system. Colorado has a critical opportunity to protect providers and its residents' access to abortion care. I urge the members of this Committee to support SB23-188 to protect providers, patients, and assistants of legally

protected health care. If you have further question please reach out to Adrienne Ramcharan, Assistant Director of State Policy ([aramcharan@prh.org](mailto:aramcharan@prh.org)). Thank you.

Sincerely,

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President & CEO  
Physicians for Reproductive Health