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**TESTIMONY SUBMITTED TO THE BOARD OF REGISTRATION IN MEDICINE**

**RELATIVE TO PROPOSED AMENDMENTS TO 243 CMR 1.00: DISCIPLINARY PROCEEDINGS FOR PHYSICIANS AND**

**243 CMR 2.00: LICENSING AND THE PRACTICE OF MEDICINE.**

**FEBRUARY 18, 2025**

The Massachusetts Section of the American College of Obstetricians and Gynecologists (MA-ACOG) represents practicing obstetrician-gynecologists across the Bay State committed to providing patient-centered, evidence-based obstetric and gynecologic care.

MA-ACOG wishes to be recorded in strong support for codification of the emergency amendments relative to the Massachusetts Shield Law protections for physicians. The Massachusetts Shield Law was enacted to protect healthcare providers and patients from legal actions, penalties, or extradition requests related to providing reproductive or gender affirming care that is legal in Massachusetts but restricted in other states.

Specifically, the amendments would make the following changes:

1. Add the following new clause to 243 CMR 1.03 (5)(b) Other Grounds for Complaints Against Physicians:

(c) Notwithstanding grounds for complaints specified in 243 CMR 1.03(5)(a) or adopted pursuant to 243 CMR 1.03(5)(b), no complaint shall be docketed, and no physician shall be subject to discipline, for providing or assisting in providing reproductive health care services or gender-affirming health care services, as defined at M.G.L. c. 12, § 11I½ , so long as the services provided would have been lawful in Massachusetts and are consistent with standards for good professional practice in Massachusetts.

2. Add the following provision to 243 CMR 2.04 (16)(a), Preliminary Denial of Licensure:

provided however, that no person shall be disqualified from licensure or denied licensure by the Board for providing or assisting in providing reproductive health care services or gender-affirming health care services, as defined at M.G.L. c. 12, § 11I½ , so long as the services provided would have been lawful in Massachusetts and are consistent with standards for good professional practice in Massachusetts

The Bay State is known for its leadership in health care education and provision. Legislation that restricts both reproductive health care and gender affirming care is not rooted in science but does have an unfortunate impact on access to critical services in many states. We know that our colleagues in other parts of the country are coping with frustration and fear as they lose the ability to provide evidence-based health care, so much so that they will leave practice in these states. Massachusetts has the opportunity to be a state in which patients and providers know that health care decisions will remain private and protected. For obstetricians and gynecologists, codification of these provisions will send the clear message that reproductive health care services and gender-affirming health care are legally protected in Massachusetts. For patients, protection of providers will ensure that services remain accessible.

MA-ACOG thanks the Board of Registration in Medicine for taking emergency action in January and for promulgating these regulations to further codify the Shield Law and provide protection for patients and providers.