

APPROVAL MEMORANDUM - No. 71 Chapter 694

MEMORANDUM filed with Senate Bill Number 4914-B, entitled:

"AN ACT to amend the civil practice law and rules, the education law, the public health law, the judiciary law, the insurance law, the general business law, the criminal procedure law, the executive law, the civil rights law, and the family court act, in relation to protecting individuals who provide or receive legally protected health activity from criminal or civil liability or professional sanctions imposed by jurisdictions outside the state; and to repeal certain provisions of the criminal procedure law and the executive law relating thereto"

APPROVED

This bill strengthens existing laws to better ensure that New York does not participate in attempts to penalize the provision of reproductive or gender-affirming care, referred to in the bill as "legally protected health activity". The bill would further protect information about legally protected activity held by private entities in New York, like health care providers, from being accessed by parties seeking to penalize such activity. The bill would also clarify that existing protections against medical malpractice and professional liability apply to all providers who deliver reproductive or gender affirming care.

I support the goal of this bill, which builds on existing shield law protections that I signed into law in 2022, 2023, and earlier this year. However, the bill would impose obligations on health care providers served with requests for information about legally protected health activity that would be difficult to manage within the timelines required by the bill. Changes were also necessary to correct technical inconsistencies.

I have reached an agreement with the Legislature to enact these necessary changes in the upcoming legislative session. On the basis of this agreement, I am pleased to sign this bill into law.

This bill is approved.

(signed) KATHY HOCHUL
