

1 SENATE BILL 347

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Gabriel Ramos and David M. Gallegos and Larry R. Scott  
5 and Anthony L. Thornton and Nicholas A. Paul  
6  
7  
8  
9

10 AN ACT

11 RELATING TO HEALTH CARE; ENACTING THE HEALTH CARE WORKERS  
12 CONSCIENCE PROTECTION ACT; PROVIDING PROTECTIONS FOR HEALTH  
13 CARE WORKERS WHO DECLINE TO PARTICIPATE IN ABORTION OR  
14 ABORTION-RELATED SERVICES; PROVIDING NOTICE REQUIREMENTS;  
15 DECLARING AN EMERGENCY.  
16

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
19 cited as the "Health Care Workers Conscience Protection Act".

20 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the  
21 Health Care Workers Conscience Protection Act:

22 A. "abortion" means the intentional termination of  
23 a person's pregnancy by a person who knows the person is  
24 pregnant, including the provision of information about  
25 abortion, provision of a referral to another health care worker

.230252.2

underscored material = new  
[bracketed material] = delete

underscoring material = new  
~~[bracketed material] = delete~~

1 that provides abortion, prescription of abortifacient drugs or  
2 performance of an abortion;

3 B. "conscience-based" means based on an ethical,  
4 philosophical, moral or religious belief or principle;

5 C. "health care institution" means an organization,  
6 a corporation, a partnership, an association, an agency, a  
7 network, a sole proprietorship, a joint venture or other entity  
8 that provides an abortion or abortion-related service,  
9 including a: public or private hospital; health clinic;  
10 medical center; physician organization; professional  
11 association; ambulatory surgical center; private physician's  
12 office; pharmacy; nursing home; medical or nursing school;  
13 medical training facility; or other entity that provides an  
14 abortion or abortion-related service;

15 D. "health care payer" means an employer, a health  
16 plan, a health maintenance organization, an insurance company,  
17 a management services organization or other entity that pays  
18 for or arranges for the payment of any portion of an abortion  
19 or abortion-related service;

20 E. "health care worker" means a person who is  
21 involved in the delivery of an abortion or abortion-related  
22 service, including a: doctor; nurse practitioner; physician  
23 assistant; nurse; nurse's assistant; allied health  
24 professional; medical assistant; hospital employee; health  
25 clinic employee; nursing home employee; pharmacist; pharmacy

.230252.2

underscoring material = new  
[bracketed material] = delete

1 technician; pharmacy employee; medical school, nursing school,  
2 psychology or counseling faculty member; medical, nursing,  
3 psychology or counseling student; medical researcher; medical  
4 laboratory technician; counselor; social worker; or any other  
5 person who takes part in the provision of an abortion or  
6 abortion-related service; and

7 F. "participate" means, with respect to delivery of  
8 an abortion or abortion-related service, to:

9 (1) provide, perform, facilitate, take part in  
10 or assist to any degree with an abortion or abortion-related  
11 service;

12 (2) provide to a patient a referral for or  
13 counsel or advice with regard to an abortion or abortion-  
14 related service; and

15 (3) admit a patient to receive an abortion or  
16 abortion-related service.

17 SECTION 3. [NEW MATERIAL] PROTECTIONS FOR CONSCIENCE-  
18 BASED DECISIONS.--

19 A. A person shall not be subject to criminal  
20 liability, sanctions related to professional licensure or  
21 professional or employment disciplinary action for refusing,  
22 for a conscience-based reason, to participate in an abortion or  
23 abortion-related service.

24 B. A health care entity, health care payer, managed  
25 care organization or health care provider shall not impose upon

.230252.2

1 a person, for the person's refusal to participate in an  
2 abortion or abortion-related service for a conscience-based  
3 reason, a penalty, censure, discipline or suspension or the  
4 loss or denial of a license, credential, privilege or  
5 membership.

6 C. A health care worker who objects to or refuses  
7 to, for reasons of conscience, participate in an abortion or  
8 abortion-related service shall not be required to participate  
9 in that abortion or abortion-related service. If a person that  
10 seeks an abortion or abortion-related service changes health  
11 care workers, the health care worker who objected or refused to  
12 participate shall transfer, upon request, a copy of the  
13 person's medical records to the new health care worker.

14 D. A health care worker's refusal to participate in  
15 an abortion or abortion-related service for a conscience-based  
16 reason shall not be the basis for a report of the worker's  
17 unprofessional conduct, disciplinary investigation or  
18 discipline.

19 E. Adverse action shall not be taken in any form  
20 against a health care worker, health care institution or health  
21 care payer because of the health care worker's, health care  
22 institution's or health care payer's decision to decline to  
23 participate in or pay for an abortion or abortion-related  
24 service for a conscience-based reason.

25 F. Determination that a health care institution

underscoring material = new  
[bracketed material] = delete

1 took an action for a conscience-based reason may be supported  
2 by reference to that entity or body's governing documents;  
3 published religious, moral, ethical or philosophical guidelines  
4 or directives; mission statement; constitution; articles of  
5 incorporation; bylaws; policies; and regulations.

6 SECTION 4. [NEW MATERIAL] NOTICE AND POSTING  
7 REQUIREMENT.--

8 A. Within thirty days of the effective date of the  
9 Health Care Workers Conscience Protection Act, and at any time  
10 upon request thereafter, a health care institution shall  
11 provide all health care workers currently affiliated with the  
12 institution a copy of that act.

13 B. Within fourteen business days of hiring a health  
14 care worker, a health care institution shall provide the health  
15 care worker with a copy of the Health Care Workers Conscience  
16 Protection Act.

17 C. Every health care institution shall  
18 conspicuously post on the institution's premises a sign that  
19 summarizes the provisions of the Health Care Workers Conscience  
20 Protection Act.

21 SECTION 5. SEVERABILITY.--If any part or application of  
22 the Health Care Workers Conscience Protection Act is held  
23 invalid, the remainder or its application to other situations  
24 or persons shall not be affected.

25 SECTION 6. EMERGENCY.--It is necessary for the public

.230252.2

underscoring material = new  
~~[bracketed material] = delete~~

1 peace, health and safety that this act take effect immediately.

2 - 6 -

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

.230252.2