

FIFTY-SIXTH LEGISLATURE
FIRST SESSION, 2023

HB 7/a

March 4, 2023

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

HOUSE BILL 7, as amended

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike House Judiciary Committee Amendments 7, 9, 10 and 11.
2. On page 3, line 6, strike ", directly or indirectly,".
3. On page 3, line 11, strike ", directly or indirectly,".
4. On page 3, line 13, strike "persons's" and insert in lieu thereof "person's".
5. On page 3, line 18, strike the closing quotation mark and between lines 18 and 19, insert the following new subsections:

"E. Nothing in the Reproductive and Gender-Affirming Health Care Freedom Act shall be construed to require a health care provider or entity to provide care:

(1) that the health care provider or entity does not otherwise provide or have a duty to provide under state or federal law;

(2) when the provision of service is against the medical judgment of the treating health care provider while acting within the standard of care; or

(3) when an individual does not provide payment or a source of payment for the service when it is required in the ordinary course of business, unless the health care provider has a duty to provide services under state or federal law, regardless of

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the ability to pay.

F. Nothing in the Reproductive and Gender-Affirming Health Care Freedom Act shall be construed to require a managed care organization or health insurance company to cover claims that are not otherwise required to be covered by the terms and conditions of an insurance contract, managed care contract or state or federal law."".

6. On page 4, line 5, strike the second comma and insert in lieu thereof a period, strike lines 6 through 9 in their entirety and on line 10, strike the subsection designation "C.".

7. On page 4, between lines 14 and 15, insert the following new subsection:

"C. Claims pursuant to the Reproductive and Gender-Affirming Health Care Freedom Act may be brought against public bodies and entities acting in the course and scope of authority of a public body, but not against an individual."".

8. On page 4, line 22, strike the period, strike line 23 in its entirety, strike line 24 up to the period and insert in lieu thereof ", or the sum of five thousand dollars (\$5,000) for each violation of the Reproductive and Gender-Affirming Health Care Freedom Act, whichever is greater".

9. On page 5, strike lines 3 through 12 in their entirety and insert in lieu thereof:

"C. Claims pursuant to the Reproductive and Gender-Affirming Health Care Freedom Act may be brought against public bodies and entities acting in the course and scope of authority of a public body, but not against an individual."".

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Respectfully submitted,

Joseph Cervantes, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 3 Against

Yes: 6

No: Baca, Moores, Pirtle

Excused: None

Absent: None

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