



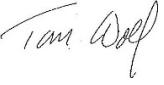
Executive Order

Commonwealth of Pennsylvania

Governor's Office

Executive Order 2022-01 – Reproductive Health Care

Date: July 12, 2022

By Direction of: 
Tom Wolf, Governor

WHEREAS, the Constitution of the Commonwealth of Pennsylvania has long provided a guarantee of reproductive health care rights independent of, and more expansive than, any protection provided by the United States Constitution; and

WHEREAS, the Commonwealth of Pennsylvania has provided access to reproductive health care services in the Commonwealth for almost 50 years; and

WHEREAS, other States have adopted, and may continue to adopt, laws that seek to impose civil or criminal liability or professional discipline on persons who seek and obtain, or on health care professionals who provide reproductive health care services in the Commonwealth that are permitted by the laws of the Commonwealth; and

WHEREAS, efforts already taken by bordering and other states to restrict access to reproductive health care services may lead more individuals to seek reproductive health care services from providers in the Commonwealth; and

WHEREAS, health care professionals lawfully providing, and persons lawfully seeking and obtaining, reproductive health care services in the Commonwealth should be protected from legal liability premised on, and professional discipline issued under, the laws of other States when those services are lawful in the Commonwealth and meet Commonwealth standards for good professional practice.

NOW, THEREFORE, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws do hereby order and direct the following:

1. Definitions.

For the purposes of this order, “reproductive health care services” includes all medical, surgical, counseling, or referral services relating to the human reproductive system, including, but not limited to, services relating to pregnancy, contraception, or the termination of a pregnancy.

2. No Assistance from Executive Agencies.

Except as required by an order of a court of competent jurisdiction, no agency, board, commission, or council under the Governor’s jurisdiction (Executive Agency), and no employee, appointee, officer, or other person acting on behalf of any Executive Agency, may provide any information or expend or use time, money, facilities, property, equipment, personnel, or other Commonwealth resources in furtherance of any investigation or proceeding initiated in or by another State that seeks to impose civil or criminal liability or professional discipline upon a person or entity for:

- a. the provision, securing, or receiving of, or any inquiry concerning, reproductive health care services that are legal in this Commonwealth; or
- b. any assistance given to any person or entity that relates to the provision, securing, or receiving of, or any inquiry concerning, reproductive health care services that are legal in this Commonwealth.

This restriction shall not apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional discipline under the laws of the Commonwealth if committed in this Commonwealth or if action is required by federal law. Notwithstanding the general prohibition of this section, Executive Agencies and individuals acting on their behalf may provide information or assistance in connection with such an investigation or proceeding in response to the written request of a person or entity that is the subject of such an investigation or proceeding.

3. Protection of Health Care and Other Professionals Licensed in the Commonwealth.

All Executive Agencies are directed to work with the boards of professional licensure operating under their respective supervision to consider whether to implement policies that will ensure that no person shall be disqualified from licensure or subject to discipline by a Commonwealth board of professional licensure for providing or assisting in the provision of reproductive health care services or as a consequence of any judgment, discipline, or other discipline threatened or imposed under the laws of another State so long as the services as provided would have been lawful and consistent with standards for good professional practice in the Commonwealth.

4. Communication about Reproductive Health Care Services.

Executive Agencies, consistent with applicable law, are directed to consider implementing steps that would help inform the public about reproductive health care, including:

- a. communicating directly with the public on matters pertaining to reproductive health care services;
- b. providing comprehensive information about the current cost and availability of reproductive health care in a manner that is easily accessed and understood by the public; and
- c. educating the public about the protection of health care information stored or accessed on personal devices.

5. Unavailability of Interstate Extradition.

The Governor shall decline any request received from the executive authority of any other State to issue a warrant for the arrest or surrender of any person charged with a criminal violation of a law of that other State where the violation alleged involves the provision or receipt of or assistance with reproductive health care services unless the acts forming the basis of the prosecution of the crime charged would also constitute a criminal offense under the laws of the Commonwealth. Consistent with the requirements of the United States Constitution, this limitation shall not apply in the circumstance where the person who is the subject of the request for arrest or surrender was physically present in the requesting State at the time of the commission of the alleged offense and thereafter fled from that State.

6. Implementation.

All Executive Agencies shall take all steps necessary to implement this Executive Order.

7. General.

This Executive Order shall be implemented consistent with applicable law. Nothing in this Executive Order shall be construed to impair or otherwise affect the authority granted by law to an Executive Agency, or the head thereof. This Executive Order is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

8. Effective date.

This Executive Order will take effect immediately and shall remain in effect unless revised or rescinded by the Governor.