



General Assembly

**Amendment**

January Session, 2025

LCO No. 9780



Offered by:  
REP. DAUPHINAIS, 44<sup>th</sup> Dist.

To: Subst. Senate Bill No. 7

File No. 604

Cal. No. 631

(As Amended)

**"AN ACT CONCERNING PROTECTIONS FOR ACCESS TO HEALTH CARE AND THE EQUITABLE DELIVERY OF HEALTH CARE SERVICES IN THE STATE."**

1 Strike section 5 in its entirety and insert the following in lieu thereof:

2 "Sec. 5. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

3 (1) "Collateral costs" means any out-of-pocket costs, other than the  
4 cost of the procedure itself, necessary to receive reproductive health care  
5 services or gender-affirming health care services in the state, including,  
6 but not limited to, costs for travel, lodging and meals;

7 (2) "Gender-affirming health care services" means all medical care  
8 relating to the treatment of gender dysphoria, as set forth in the most  
9 recent edition of the American Psychiatric Association's "Diagnostic and  
10 Statistical Manual of Mental Disorders", and gender incongruence, as  
11 defined in the most recent revision of the "International Statistical  
12 Classification of Diseases and Related Health Problems";

13 (3) "Nonprofit organization" means an organization that is exempt  
14 from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code  
15 of 1986, or any subsequent corresponding internal revenue code of the  
16 United States, as amended from time to time;

17 (4) "Patient-identifiable data" means any information that identifies,  
18 or may reasonably be used as a basis to identify, an individual patient;  
19 and

20 (5) "Reproductive health care services" means all medical, surgical,  
21 counseling or referral services relating to the human reproductive  
22 system, including, but not limited to, services relating to fertility,  
23 pregnancy, contraception and abortion.

24 (b) There is established an account to be known as the "safe harbor  
25 account", which shall be a separate, nonlapsing account of the State  
26 Treasurer. The account shall contain any funds received from any  
27 private contributions, gifts, grants, donations, bequests or devises to the  
28 account and all earnings on such funds. The State Treasurer shall invest  
29 the moneys deposited in the account in a manner that is reasonable and  
30 appropriate to achieve the objectives of such account while exercising  
31 the discretion and care of a prudent person in similar circumstances  
32 with similar objectives. The State Treasurer shall give due consideration  
33 to the rate of return risk, term or maturity, the diversification of the total  
34 portfolio within such account, the liquidity of funds, the projected  
35 disbursements and expenditures of funds, and the expected payments,  
36 deposits, contributions and gifts to be received. The moneys in the  
37 account shall be continuously invested and reinvested in a manner  
38 consistent with the objectives of the account until disbursed in  
39 accordance with this subsection. Any administrative costs associated  
40 with maintenance or disbursement of moneys in the account shall be  
41 paid from the account and no taxpayer funds shall pay for such  
42 administrative costs, except nothing in this subsection shall prohibit the  
43 State Treasurer from utilizing available staff resources to administer the  
44 account. Moneys in the account shall be expended by the board of  
45 trustees, established pursuant to subsection (c) of this section, for the

46 purpose of providing grants to (1) nonprofit organizations that provide  
47 funding for reproductive health care services or gender-affirming health  
48 care services or the collateral costs incurred by individuals in receiving  
49 such services in the state, or (2) nonprofit organizations that serve  
50 LGBTQ+ youth or families in the state for the purpose of reimbursing  
51 or paying directly to such youth or family members for the collateral  
52 costs incurred by such youth or family members in receiving  
53 reproductive health care services or gender-affirming health care  
54 services in the state.

55 (c) The safe harbor account shall be administered by a board of  
56 trustees consisting of the following members:

57 (1) The Treasurer, or the Treasurer's designee, who shall serve as  
58 chairperson of the board of trustees; and

59 (2) Four members appointed by the Treasurer, (A) one of whom shall  
60 be a provider of reproductive health care services in the state, (B) one of  
61 whom shall have experience working with members of the LGBTQ+  
62 community, (C) one of whom shall have experience working with  
63 providers of reproductive health care services, and (D) one of whom  
64 shall have experience working with providers of health care or mental  
65 health services to members of the LGBTQ+ community. When making  
66 such appointments, the Treasurer shall use the Treasurer's best efforts  
67 to ensure that the board of trustees reflects the racial, gender and  
68 geographic diversity of the state.

69 (d) Not later than September 1, 2025, the board of trustees shall adopt  
70 policies and procedures concerning the awarding of grants pursuant to  
71 the provisions of this section. Such policies and procedures shall  
72 include, but need not be limited to, (1) grant application procedures,  
73 including procedures regarding subgrants, (2) eligibility criteria for  
74 applicant nonprofit organizations, including, but not limited to,  
75 subgrantees, and for individuals served by such grants, (3) eligibility  
76 criteria for collateral costs, (4) consideration of need of the individuals  
77 served by such grants, including, but not limited to, the urgency or time

78 sensitivity of the circumstances and financial need, and (5) procedures  
79 to coordinate with any national network created to perform similar  
80 functions to those of the safe harbor account, including, but not limited  
81 to, procedures for the acceptance of funding transferred to the safe  
82 harbor account for a particular use. Such policies and procedures shall  
83 not require the retention of patient-identifiable data in order to receive  
84 a grant. Such policies and procedures may be updated as deemed  
85 necessary by the board of trustees. In the event that the board of trustees  
86 determines that the policies and procedures adopted pursuant to the  
87 provisions of this subsection are inadequate with respect to (A)  
88 determining the eligibility of a certain health care provider or nonprofit  
89 organization for a grant, or (B) whether a certain health care service  
90 received by or collateral cost incurred by an individual is eligible to be  
91 reimbursed or paid by a health care provider or nonprofit organization  
92 using grant moneys received pursuant to this section, the board of  
93 trustees may make a fact-based determination as to such eligibility.

94 (e) A nonprofit organization that receives funding from the Safe  
95 Harbor Account shall (1) verify a patient's age, (2) conduct a behavioral  
96 health assessment of the patient, and (3) ensure the patient has not been  
97 the victim of sex trafficking before providing reproductive or gender-  
98 affirming health care services to the patient."