

Dear New Yorkers,

Safeguarding the civil rights of all New Yorkers is one of my most important responsibilities as Attorney General. My office's Civil Rights Bureau enforces all civil rights laws, including laws that safeguard a woman's right to obtain reproductive health care.

This brochure explains how state and federal laws protect New Yorkers' rights to both provide and obtain reproductive health care services. If you believe those rights have been threatened, it's important that you report the conduct that may violate clinic access laws. Both patients and providers are encouraged to contact the Civil Rights Bureau with questions, concerns or to make a complaint. They can be reached at (212) 416-8250 or by e-mail at civil.rights@ag.ny.gov.

Access to good health care is important. We can help make sure the rights of all our residents are protected.

Sincerely,

Letitia James



New York
Attorney General
Letitia James

Resources

Office of the New York State Attorney Health Care Bureau Helpline

(800) 428-9071
ag.ny.gov/insurance-complaint

NYC Health: Abortion

[www1.nyc.gov/site/doh/health/
health-topics/abortion.page](http://www1.nyc.gov/site/doh/health/health-topics/abortion.page)

Think You Might Be Pregnant?

[ny.gov/pregnancy-know-your-
options-get-facts/think-you-might-
be-pregnant](http://ny.gov/pregnancy-know-your-options-get-facts/think-you-might-be-pregnant)

Protecting Access to Reproductive Health Care



Office of the New York State
Attorney General
Letitia James



Access to Abortion

The Reproductive Health Act (RHA) gives New Yorkers the right to an abortion up to the 24th week of pregnancy. After 24 weeks, pregnancies may be terminated if a medical provider decides that it is necessary to protect the patient's life or health (including mental health).

Minors in New York have the same rights to access abortion and do not need their parents' permission or consent to access birth control, abortion, or other reproductive health services.

Access to Confidential Services

Both New York State Public Health Law and the federal Health Insurance Portability and Accountability Act (HIPAA) protect the private health information of people who access reproductive health care services, including abortion, birth control, HIV testing, and other sexual transmitted diseases.

Health care providers cannot release a patient's health information without their permission.

Access to Abortion Coverage

New York State requires Medicaid to cover abortion care.

New York State also requires all state-regulated private health insurance plans to include coverage for "medically necessary" abortions.

Beginning January 1, 2023, every state-regulated private health insurance plan that offers maternity coverage must provide coverage for abortion without cost sharing.

Access to Clinics

Both the federal Freedom of Access to Clinic Entrances (FACE) Act and the New York State Clinic Access Act give patients and staff the right to be free from violence, threats of force, or physical obstruction when trying to access or provide reproductive health care.

These laws apply at any doctor's office, hospital or medical clinic that provides information, referrals, counseling or medical services about human reproduction, such as birth control, abortion, or prenatal care.

Prohibited Activity:

- Acts of violence, like hitting or shoving;
- Written or verbal threats of force;
- Some physical obstructions outside facilities.

Prohibited Physical Obstructions

- Actions that block doorways or driveways.
- Actions that make access unreasonably difficult or dangerous, such as:
 - » Walking very slowly across a facility's driveway.
 - » Making cars stop in a facility's driveway.
 - » Walking extremely close to, or stopping short in front of, people trying to enter or leave the facility.

Taking Action

If you believe these laws have been broken, you may file a complaint with the Office of the Attorney General's Civil Rights Bureau. Clinic Access Complaint Forms are available from the Attorney General's website (ag.ny.gov) and facilities are encouraged to have them available on site. You can also contact the Attorney General's Office with your complaint.

Mail:

Civil Rights Bureau
New York State Attorney General's Office
28 Liberty Street
New York, NY 10005

Phone:

(212) 416-8250
(800) 788-9898 (TDD)

E-mail:

civil.rights@ag.ny.gov

The Attorney General's Office will look into the situation and decide whether to seek a court order to stop any unlawful conduct at the facility, or to take other steps to ensure freedom of access to these medical services.

Complaints can also be filed with:

- Local police departments for violations of the New York Clinic Access Act;
- United States Attorney's Office for violations of the federal FACE Act.

Individuals or facilities may also contact a private attorney to bring a civil lawsuit to get a court order stopping unlawful conduct and/or an award of money damages.