UCLA School of Law
Center on Reproductive Health, Law, and Policy

UCLA School of Law
Williams Institute

California

Shield Law Fact Sheet

December 2025

For both reproductive and gender-affirming care, California's shield laws provide protections against out-of-state investigations and prosecutions, professional discipline, and civil liability. Additionally, California's shield laws provide protections for health care providers' professional liability insurance and participation in health plans. California also provides extensive protections for medical information and other data related to reproductive and gender-affirming care. Amendments made in 2025 set forth the state's public policy of promoting access to reproductive health care including through medication abortion, extended additional protections against the laws of another state or federal actions that interfere with provision of medication abortion and gender-affirming care consistent with California's public policy and laws, and strengthened privacy protections for both reproductive and gender-affirming care.

Protection Against Out-of-State Investigations and Prosecutions

Protection Barring State Agency/Employee Assistance

California employees, contractors, and agents may not cooperate, provide information, or expend resources in furtherance of an investigation of an individual for "legally protected health care activity"—exercising or assisting another in exercising a right to reproductive or gender-affirming health care lawful in California, or providing or reimbursing for reproductive or gender-affirming health care services lawful in California regardless of the patient's location.[1]

[1] SB 345 (Cal. 2023) (Cal. Penal Code § 13778.3 (referencing definition of "legally protected health care activity" set forth in Penal Code section 1549.15, which is materially the same as the definition set forth in Civil Code section 1798.300)); see also AB 1242 (Cal. 2022) (Cal. Penal Code § 13778.2(b)); Cal. Executive Order N-12-22 (June 27, 2022), available at: https://www.gov.ca.gov/wp-content/uploads/2022/06/6.27.22-EO-N-12-22-Reproductive-Freedom.pdf.

Protection against Extradition and Arrests

Law enforcement may not knowingly arrest any person for engaging in "legally protected health care activity."[2] Further, judges may not issue an arrest warrant and bail fugitive recovery agents may not apprehend individuals for alleged violation of another state's laws criminalizing abortion, contraception, and gender-affirming health care services legal in California, regardless of the patient's location.[3] The Governor has also committed not to surrender any person charged with a criminal violation of another state's law involving provision, receipt, or assistance with reproductive health care services unless required by the U.S. Constitution.[4]

Protection against Issuance of Search Warrants, Subpoenas, and Witness Summons

Search warrants and subpoenas may not be issued if related to an investigation into or interfering with a right to engage in "legally protected health care activity."[5] Any out-of-state subpoena, warrant, or other legal process must include an affidavit under penalty of perjury that the request is not in connection with a proceeding related to "legally protected health care activity."[6] The California Attorney General may bring a civil action against a person or entity that submits a false affidavit, punishable by a $15,000 civil penalty.[7]

Judges may not order a witness to appear in an out-of-state criminal prosecution based on laws authorizing a criminal penalty for performing, receiving, supporting, or aiding in abortion, contraception, or gender-affirming care.[8]

Protection from Professional Discipline

Protection against Adverse Actions related to Providers' Licenses and Board Discipline

Boards that certify health professionals may not deny an application for licensure or suspend, revoke, or otherwise impose discipline upon a health care provider based on performing, recommending, or

[2] AB 1242 (Cal. 2022) (Cal. Penal Code § 13778.2(a)); SB 107 (Cal. 2022) (Cal. Penal Code § 819(b)); AB 82 (Cal. 2025) (Cal. Penal Code § 13778.2).

[3] SB 345 (Cal. 2023) (Cal. Penal Code § 847.5(b)-(c)).

[4] Cal. Executive Order N-12-22 (June 27, 2022).

[5] AB 1242 (Cal. 2022) (Cal. Penal Code § 1524(h); Cal. Penal Code § 13778.2(c)); SB 107 (Cal. 2022) (Cal. C.C.P. § 2029.300(e)); AB 82 (Cal. 2025) (Cal. Penal Code § 13778.2); SB 497 (Cal. 2025) (Cal. C.C.P. § 2029.300; Cal. C.C.P. § 2029.350).

[6] SB 345 (Cal. 2023) (Cal. Penal Code § 13778.3(d)).

[7] AB 82 (Cal. 2025) (Cal. Gov. Code § 13778.3).

[8] SB 345 (Cal. 2023) (Cal. Penal Code § 1334.2(f)).

providing "legally protected health care activity" or based on a civil judgment, criminal conviction, or disciplinary action in another state applying law that interferes with a person's right to receive sexual and reproductive health and gender affirming care in California, regardless of the patient's location.[9] These Boards also may not deny an application for licensure or suspend, revoke, or otherwise impose disciplinary action solely based on a health professional manufacturing, transporting, distributing, delivering, receiving, acquiring, selling, or possessing mifepristone or any drug used for medication abortion that is lawful under California law.[10]

Protection against Denial or Restriction of Facility Privileges

Health facilities may not deny or restrict a provider's staff privileges based on a civil judgment, criminal conviction, or disciplinary action imposed by another state applying law that interferes with a person's right to receive sexual and reproductive health or gender-affirming care services that would be lawful if provided in California.[11]

Protection Against Adverse Actions related to Attorneys Representing Individuals

If an attorney barred in California or an applicant to the California State Bar is subject to an action—including any civil judgment, judicial sanction, professional discipline, or criminal charge or conviction—based on another state's laws that interfere with a person's right to receive or provide sensitive services (including health care services related to sexual and reproductive health and gender-affirming care) lawful in California, that action may not be grounds for disciplinary action by or denial of admission to the California State Bar or require the attorney or applicant to report the action to the California State Bar regardless of the location of the action's underlying event or the location of the attorney or applicant.[12]

[9] SB 345 (Cal. 2023) (Cal. Bus. & Prof. Code § 852); SB 345 (Cal. 2023) (Cal. Bus. & Prof. Code § 850.1); *see also* AB 2626 (Cal. 2022) (Cal. Bus. & Prof. Code §§ 2253 (physicians and surgeons), 2746.6 (nurse midwives), 2761.1 (nurse practitioners), 3502.4 (physician assistants)).

[10] Individuals, states, and local officers also may not institute civil, criminal, or professional disciplinary actions against health professionals based solely on this same conduct. AB 260 (Cal. 2025) (Cal. Bus. & Prof. Code §§ 850.3, 4318; Cal. Health & Safety Code § 1220.2). Further, a health provider may not be subject to such action solely because they prescribed or administered any drug used for medication abortion for a use different than the use for which it has been approved for marketing by the U.S. Food and Drug Administration (FDA) or that varies from its risk evaluation and mitigation strategy. AB 260 (Cal. 2025) (Cal. Bus. & Prof. Code § 687).

[11] AB 1707 (Cal. 2023) (Cal. Bus. & Prof. Code § 805.9). Additionally, a health facility's license cannot be denied, revoked, or suspended based on a civil judgment, criminal conviction, or disciplinary action imposed by another state applying law that interferes with a person's right to receive sexual and reproductive health or gender-affirming care services that would be lawful if provided in California. AB 1707 (Cal. 2023) (Bus. & Prof. Code § 1220.1); see also AB 260 (Cal. 2025) (Cal. Health & Safety Code §§1220.2, 1265.12) (extending similar protections for licensee's activities related to medication abortion that are lawful under state law).

[12] AB 1525 (Cal. 2025) (Cal. Bus. & Prof. Code § 6106.4).

Protection against Civil Liability

Protection against Application or Enforcement of Another State's Laws or Judgments in California State Court

Another state's laws authorizing a civil action for receiving, seeking, performing, providing, inducing, or knowingly aiding or abetting an abortion are contrary to state policy—California courts may not apply those laws in cases or controversies before them, or enforce civil judgments under such laws.[13] Courts must grant a stay of enforcement against a judgment or lien obtained for exercising or aiding and abetting the exercise of a right guaranteed under the California Constitution.[14]

Additionally, another state's laws authorizing removal of a child from their guardians based on allowing the child to receive gender-affirming health care is against state public policy—California courts may not apply or enforce such laws.[15]

Protection Applying California Law to Actions in State Court Involving Provision by Telehealth

California law governs in any action heard in California against a person who provides or receives—including by telehealth—reproductive health care services or gender-affirming health care services if the provider was located in California or any other state where the care was legal at the time of the challenged conduct.[16]

Provision of a "Clawback Lawsuit" to Recover Damages from Litigation related to Protected Care

A person or entity may institute a civil action against a person who engages in "abusive litigation"—litigation or other legal action to deter, prevent, sanction, or punish a person based on "legally protected health care activity" if any act or omission forming the basis of the liability was legal in the state in which it occurred.[17]

[13] AB 1666 (Cal. 2022), SB 487 (Cal. 2023) (Cal. Health & Safety Code § 123467.5).

[14] SB 345 (Cal. 2023) (Cal. C.C.P. § 1710.50).

[15] SB 107 (Cal. 2022) (Cal. Fam. Code § 3453.5).

[16] SB 345 (Cal. 2023) (Cal. Health & Safety Code § 123468.5).

[17] SB 345 (Cal. 2023) (Cal. Civ. Code §§ 1798.303, 1798.300). A person or entity aggrieved by "abusive litigation" may also move to modify or quash a subpoena issued in connection with abusive litigation. Cal. Civ. Code § 1798.304.

Protection of Professional Liability Insurance and Protection Related to Health Plans

Protection against an Insurer's Refusal to Issue Insurance, Increase in Premiums, or Denial of Coverage Based Solely on Providing Protected Care

An insurer may not terminate or refuse to issue or renew professional liability insurance or increase the premium or deductible for health care providers based solely on their provision of abortion, contraception, or gender-affirming care lawful in California but unlawful in another state, including based on any legal action taken against the provider in another state for such care.[18] An insurer also may not deny coverage for liability for damages arising from offering or performing abortion, contraception, or gender-affirming care otherwise covered by the policy if those services are within the scope of the insured's license and are lawful in the state where they are offered or performed.[19]

Protection of Contracts with Health Plans and Insurers

A contract issued, amended, or renewed on or after January 1, 2024 between a provider and a health care service plan or a health insurer cannot contain any term that would result in termination or nonrenewal of the contract based on a civil judgment, criminal conviction, or professional disciplinary action applying another state's laws that interfere with care that would be lawful if provided in California.[20]

Privacy of Medical Information and Other Data Related to Reproductive or Gender-Affirming Care

Protection Against Disclosure of Medical Information

Health care providers, health care service plans, contractors, and employers may not release medical information related to abortion or gender-affirming health care in response to a subpoena or request related to an investigation seeking to impose liability under another state's law for seeking or obtaining an abortion lawful in California, seeking or obtaining gender-affirming health care, or for allowing a child

[18] AB 571 (Cal. 2023) (Cal. Ins. Code § 11589.1).

[19] AB 571 (Cal. 2023) (Cal. Ins. Code § 11589.1).

[20] Health care service plans and insurers also may not discriminate against providers on this same basis, including for the manufacture, transport, distribution, delivery, repackaging, or storage of brand name or generic mifepristone or any drug legally used for medical abortion in California. AB 260 (Cal. 2025) (Cal. Health & Safety Code § 1375.61; Cal. Ins. Code § 10133.641). Additionally, the State Department of Health may elect not to suspend a provider from the Medi-Cal program if action in another state is based solely on conduct not deemed unprofessional under California law, and the Director of Health Care Services may request a waiver under federal law from suspending a provider from the Medi-Cal program if the provider's suspension from the Medicare or Medicaid program was based solely on conduct not deemed unprofessional under California law. SB 487 (Cal. 2023) (Cal. Welf. & Inst. Code §§ 14123, 14043.6).

to receive gender-affirming health care.[21] Health care providers, health care service plans, contractors, and employers also may not provide medical information to any individual or entity from another state or to a federal law enforcement agency that would identify an individual and is related to seeking or obtaining abortion care or gender-affirming health care lawful in California.[22]

Further, except as permitted or required by law, a health care provider, health care insurance plan, pharmaceutical company, contractor, or employer may not knowingly disclose, transmit, transfer, share, or grant access to medical information in an electronic health records systems or through a health information exchange to any individual or entity from another state that would identify an individual who seeks, provides, or supports the performance of an abortion.[23]

Businesses that operate electronic health record systems must develop capabilities, policies, and procedures to segregate medical information related to abortion, contraception, and gender-affirming care from the rest of the patient's record, to limit access privileges only to authorized users, and to prevent the disclosure, access, transfer, transmission or processing of such medical information outside of California.[24] Health information related to abortion is excluded from the required exchange of information under the California Health and Human Services Data Exchange Framework.[25]

Protection of Providers' or Patients' Personal Information

At the prescriber's request, mifepristone and other drugs used for medication abortion may be dispensed without the prescriber's name, the patient's name, or the name and address of the pharmacy.[26] The prescription must still include a prescription number, or another means of identifying it, and the pharmacist must keep a log connecting the prescription to the omitted information, but law enforcement may not inspect the log without a subpoena and the log may not be shared with any individual or entity from another state.[27]

Further, prescriptions and dispensing of testosterone and mifepristone are excluded from required reporting of patient, prescriber, and pharmacy information under the state's Controlled Substances Utilization Review and Evaluation System (CURES) monitoring program, and a state agent or person

[21] AB 2091 (Cal. 2022) (Cal. Civ. Code § 56.108); SB 107 (Cal. 2022) (Cal. Civ. Code § 56.109); SB 497 (Cal. 2025) (Cal. Civ. Code § 56.109). Additionally, health insurers may not disclose information related to reproductive health and gender affirming care to the policyholder or any insured other than the protected individual receiving care without express written authorization from the protected individual. AB 2091 (Cal. 2022) (Cal. Ins. Code § 791.29).

[22] AB 352 (Cal. 2023) (Cal. Civ. Code § 56.108); SB 497 (Cal. 2025) (Cal. Civ. Code § 56.109).

[23] AB 352 (Cal. 2023) (Cal. Civ. Code § 56.110); AB 260 (Cal. 2025) (Cal. Civ. Code § 56.110).

[24] AB 352 (Cal. 2023) (Cal. Civ. Code § 56.101).

[25] AB 352 (Cal. 2023) (Health & Safety Code § 130290).

[26] AB 260 (Cal. 2025) (Cal. Bus. & Prof. Code § 4076(g); Cal. Health & Safety Code § 111480).

[27] AB 260 (Cal. 2025) (Cal. Bus. & Prof. Code § 4076(g)).

acting on behalf of a public agency may not knowingly provide any CURES data or expend resources in furtherance of an investigation or proceeding seeking to impose liability for "legally protected health care activity."[28]

Additionally, research records in a personally identifiable form relating to anyone seeking or obtaining health care services may not be released to law enforcement or in response to a subpoena or request if based on another state's laws that interfere with rights to reproductive health care protected by California, or for enforcement of another state's penal civil action.[29]

California offers an address confidentiality program, which prevents the disclosure of certain qualifying addresses in public records. Reproductive and gender-affirming health care service providers, employees, volunteers, and patients may apply to the state's address confidentiality program.[30]

Protection Against Disclosure of Data by Businesses Providing Electronic Communications

Corporations based in or with principal executive offices in California that provide electronic communication services may not provide information in response to requests issued in another state related to an investigation of abortion lawful in California.[31] These corporations also may not comply with an out-of-state subpoena, warrant, or request to produce records revealing the identity of customers, the recipients of communications, or the content of communications unless the request includes an attestation that the evidence sought is not related to a proceeding concerning "legally protected health care activity."[32]

Protection Against Disclosure of Data by Reproductive Health Apps

Businesses that provide a reproductive or sexual health digital service may not intentionally share, sell, or otherwise use the medical information collected for any purpose not necessary to provide health care services to a patient.[33]

[28] AB 82 (Cal. 2025) (Cal. Health & Safety Code § 11165); SB 497 (Cal. 2025) (Cal. Health & Safety Code § 11165). An out-of-state authorized user who obtains CURES data through the interstate data sharing hub also may not provide any CURES data in furtherance of any investigation or proceeding seeking to impose liability for "legally protected health care activity." SB 497 (Cal. 2025) (Cal. Health & Safety Code § 11165). Accessing the CURES database without authorization or knowingly providing information from the CURES database to someone not authorized to receive that information is a misdemeanor. SB 497 (Cal. 2025) (Cal. Health & Safety Code § 11165).

[29] AB 45 (Cal. 2025) (Cal. Civ. Code § 1798.99.93).

[30] AB 82 (Cal. 2025) (Cal. Gov. Code § 6215.2).

[31] AB 1242 (Cal. 2022) (Cal. Penal Code § 1546.5).

[32] AB 1242 (Cal. 2022) (Cal. Penal Code § 1524.2); SB 345 (Cal. 2023) (Cal. Penal Code § 13778.3(f)).

[33] AB 254 (Cal. 2023) (Cal. Civ. Code §§ 56.05).

Protection of Location Data

A person or entity may not collect, use, disclose, or retain the personal information of a person who is located at a family planning center, except as necessary to perform the services requested by the person.[34] Individuals and entities may bring a civil action against those who violate this law to recover damages and the expenses, costs, and fees of the civil action.[35]

Additionally, a geofence may not be used on a California entity that provides in-person health care services to identify, track, or collect personal information on a person seeking, receiving, or providing health care services, or to send notifications or advertisements to a person related to their personal information or health care services.[36] Anyone who violates this law may be subject to a $25,000 penalty for each violation, recovered in an action brought by the California Attorney General.[37]

[34] SB 345 (Cal. 2023) (Cal. Civ. Code § 1798.99.90).

[35] AB 45 (Cal. 2025) (Cal. Civ. Code § 1798.99.91).

[36] AB 45 (Cal. 2025) (Cal. Civ. Code § 1798.99.92).

[37] AB 45 (Cal. 2025) (Cal. Civ. Code § 1798.99.92).

ABOUT THE CENTER ON REPRODUCTIVE HEALTH, LAW, AND POLICY (CRHLP)

Reimagining the future of reproductive health, law, and policy in a time of urgent need.

The UCLA Law Center on Reproductive Health, Law, and Policy is an independently-funded think tank and research center developing long-term, lasting solutions that advance all aspects of reproductive justice and address the current national crisis of abortion access. We are lawyers, policy experts, scholars, and researchers who are working to increase access to abortion and contraception, end racial and economic disparities in maternal health outcomes, support people who decide to build families, and dismantle the gender bias that limits reproductive justice.

For more information

law.ucla.edu/academics/centers/center-reproductive-health-law-and-policy
crhlp@law.ucla.edu