

# New Jersey

## Shield Law Fact Sheet

October 2026

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New Jersey’s shield laws provide protections against out-of-state investigations and prosecutions, professional discipline, and civil liability related to reproductive and gender-affirming health care. New Jersey’s shield laws also provide protections for professional liability insurance and the privacy of medical information related to reproductive and gender-affirming health care.

### Protection against Out-of-State Investigations and Prosecutions

#### Protection Barring State Agency/Employee Assistance

A state entity or a person acting on its behalf may not provide any information or use any resources in furtherance of any interstate or federal investigation or proceeding seeking to impose civil or criminal liability upon a person or entity for “legally protected health care activity”—providing, seeking, receiving, advising, assisting with, or providing material support for “reproductive health care services” lawful in New Jersey, which includes care and products related to pregnancy, assisted reproductive technology, contraception, miscarriage management, and abortion, and supplies, care, and services to support a person’s alignment with their gender identity or expression.<sup>1</sup>

#### Protection against Extradition and Arrests

The Governor may not surrender to another state any person charged based on “legally protected health care activity” if the person was not in the state demanding surrender at the time of the alleged crime and has not fled from that state.<sup>2</sup> State and local law enforcement agencies and officers may not knowingly

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<sup>1</sup> AB 3975 (N.J. 2022), SB 2260 (N.J. 2026) (N.J. Stat. § 2A:84A-22.19); SB 2260 (N.J. 2026) (P.L. 2026, C. 74 § 1); see also N.J. Executive Order No. 326 (April 4, 2023), available at: <https://www.nj.gov/infobank/eo/056murphy/pdf/EO-326.pdf>.

<sup>2</sup> AB 3975 (N.J. 2022); SB 2260 (N.J. 2026) (N.J. Stat. § 2A:160-14.1); see also N.J. Executive Order No. 326 (April 4, 2023), available at: <https://www.nj.gov/infobank/eo/056murphy/pdf/EO-326.pdf>.

arrest a person for engaging in “legally protected health care activity,” unless the person committed an offense that would subject them to arrest under New Jersey law.<sup>3</sup>

### **Protection Against Issuance of Search Warrants, Subpoenas, and Witness Summons**

State courts, judicial officers, court employees and clerks, and authorized attorneys may not issue a subpoena, search warrant, or ex parte order for wiretapping related to a proceeding in another state or by the federal government regarding a person charged with, suspected, or convicted of engaging in “legally protected health care activity.”<sup>4</sup> Parties may not submit an out-of-state summons for discovery or witness testimony related to an interstate or federal investigation or proceeding that seeks to impose civil liability on a person for engaging in “legally protected health care activity.”<sup>5</sup>

### **Protection from Professional Discipline**

#### **Protection against Adverse Actions related to Providers’ Licenses and Other Board Discipline**

A board may not refuse to admit a person to an examination and may not suspend, revoke, or refuse to renew any certificate, registration, or license based solely on the person’s provision, authorization, participation, referral for, or assistance in any health care service related to an abortion for a person who resides in a state where the act is illegal, if the act is lawful in New Jersey.<sup>6</sup> Executive Order No. 326 provides these same protections related to gender-affirming care.<sup>7</sup> Additionally, a board may not impose on a certificate, registration, or license holder other penalties—including civil penalties and corrective action—based solely on the individual engaging in “legally protected health care activity.”<sup>8</sup>

### **Protection Against Civil Liability**

#### **Protection Against Application or Enforcement of Another State’s Laws or Judgments in New Jersey State Court**

New Jersey courts and administrative tribunals may not apply law that authorizes a person or government entity to bring a legal action to deter, prevent, sanction, or punish a person engaging in

<sup>3</sup> SB 2260 (N.J. 2026) (P.L. 2026, C. 74 § 10(a)).

<sup>4</sup> SB 2260 (N.J. 2026) (P.L. 2026, C. 74 § 10(b)-(d)). This protection does not apply if the person would be subject to a subpoena, search warrant, or wiretapping order under New Jersey law. *Id.*

<sup>5</sup> SB 2260 (N.J. 2026) (P.L. 2026, C. 74 § 10(e)). This protection does not apply if the person would be subject to prosecution or liability under New Jersey law. *Id.*

<sup>6</sup> AB 3975 (N.J. 2022) (N.J. Stat. § 45:1-21).

<sup>7</sup> N.J. Executive Order No. 326 (April 4, 2023), available at: <https://www.nj.gov/infobank/eo/056murphy/pdf/EO-326.pdf>.

<sup>8</sup> SB 2260 (N.J. 2026) (N.J. Stat. § 45:1-22).

“legally protected health care activity” within New Jersey or according to New Jersey law, including law governing telehealth services.<sup>9</sup>

### **Provision of a Civil Action to Prevent Interference with Protected Care**

An individual, the Attorney General, or a county or municipal prosecutor may bring a civil action against an actor who interferes with “reproductive health care services” by: injuring someone or physically obstructing a health facility to restrict access to or intimidate someone from providing, receiving, or assisting in such services; intimidating, threatening, or coercing someone because they are a patient, provider, volunteer, or assistant of such services; or, damaging property of a person, entity, or facility because they provide, assist, or receive such services.<sup>10</sup>

### **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**

Insurers authorized to provide medical malpractice insurance in New Jersey may not take adverse action, including denying coverage, or imposing sanctions, fines, penalties, or rate increases against an insured licensed, certified, or registered in New Jersey because of their engagement in “legally protected health care activity” in which the patient receiving services is a resident of a state where those services are illegal, or based on a disciplinary action from another state based solely on the insured’s “legally protected health care activity.”<sup>11</sup>

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

#### **Protection Against Disclosure of Medical Information**

Health plans, health care clearinghouses, and health care providers (“covered entities”) may not disclose any information communicated by a patient or their representative or obtained from personal examination of a patient relating to “legally protected health care activity” that is permitted under New Jersey law in any civil action or administrative proceeding, unless the patient or their representative consents in writing to the disclosure.<sup>12</sup>

<sup>9</sup> SB 2260 (N.J. 2026) (P.L. 2026, C. 74 § 11). This does not apply to a tort, contract, or statutory action for which a claim would exist under New Jersey law. *Id.*

<sup>10</sup> SB 2260 (N.J. 2026) (P.L. 2026, C. 74 §§ 5-7).

<sup>11</sup> SB 2260 (N.J. 2026) (N.J. Rev. Stat. §17(b)).

<sup>12</sup> AB 3975 (N.J. 2022); SB 2260 (N.J. 2026) (N.J. Stat. § 2A:84A-22.18). Disclosure of this information without written consent of the patient or their representative is permitted if made pursuant to New Jersey law or rule of court, if made by covered entities to their

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### **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](http://law.ucla.edu/academics/centers/center-reproductive-health-law-and-policy)  
[crhlp@law.ucla.edu](mailto:crhlp@law.ucla.edu)



attorney or professional liability insurer for defense in an action or proceeding against them, if made to professional licensing boards investigating a complaint, or if abuse of a child or individual who is elderly, incapacitated, or with a physical or mental disability is suspected (but “legally protected health care activity” permitted under New Jersey law may not constitute abuse). N.J. Stat. § 2A:84A-22.18.