

Pennsylvania

Shield Law Fact Sheet

AUGUST 2024

Currently, Pennsylvania’s shield laws—issued by Executive Order—are limited, barring only state agency assistance in out-of-state investigations and prosecutions and extradition related to reproductive health care services legal in Pennsylvania, and directing the state’s agencies to work with professional licensure boards to consider protections against professional discipline for reproductive health care services legal in Pennsylvania.

PROTECTION AGAINST OUT-OF-STATE INVESTIGATIONS AND PROSECUTIONS

Protection Barring State Agency/Employee Assistance

Executive Order No. 2022-01, issued in July 2022, prohibits executive agencies and individuals acting on their behalf from providing any information or using any resources in furtherance of any investigation or proceeding in another state seeking to impose civil or criminal liability or professional discipline on a person for providing, securing, receiving, inquiring about, or assisting in reproductive health care services legal in Pennsylvania.¹

Protection against Extradition and Arrests

Executive Order No. 2022-01 provides that the Governor will decline another state’s request to issue a warrant for the arrest or surrender of any person charged with a criminal violation involving the provision, receipt, or assistance with reproductive health care services lawful in Pennsylvania, unless the person was physically present in the state requesting surrender at the time of the commission of the alleged offense and then fled from that state.²

¹ P.A. Exec. Order No. 2022-01, Reproductive Health Care (July 12, 2022), available at <https://www.oa.pa.gov/Policies/eo/Documents/2022-01.pdf>.

² P.A. Exec. Order No. 2022-01, Reproductive Health Care (July 12, 2022), available at <https://www.oa.pa.gov/Policies/eo/Documents/2022-01.pdf>.

PROTECTION FROM PROFESSIONAL DISCIPLINE

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

Executive Order 2022-01 directs executive agencies to work with the boards of professional licensure to consider whether to implement policies protecting providers from license disqualification or discipline for providing or assisting with reproductive health care services lawful in Pennsylvania.³

³ P.A. Exec. Order No. 2022-01, Reproductive Health Care (July 12, 2022), available at <https://www.oa.pa.gov/Policies/eo/Documents/2022-01.pdf>.

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

CRHLP is a nationwide think tank and research center created to meet the current national crisis in access to abortion while working towards long-term solutions to advance reproductive justice. CRHLP conducts analysis and research for legal, policy, and narrative change and serves as a trusted hub for convening and engaging academics, advocates, health care providers, policy makers, and community members to reimagine the landscape of reproductive health law and policy. CRHLP also trains the reproductive law and policy leaders of tomorrow. CRHLP is committed to the highest standards of independent inquiry, academic excellence, and rigor. Research findings and conclusions are never altered to accommodate other interests, including those of funders, other organizations, or government bodies and officials.

For more information

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To receive pro bono legal assistance on questions related to the shield laws or other reproductive rights or justice issues, email: larj@law.ucla.edu