



AB 571 ENFORCEMENT ALERT

To reduce barriers to access to healthcare, the Attorney General today reminds insurers of their obligation not to discriminate in the provision of medical professional liability insurance. In 2023, the California Legislature passed and Governor Newsom signed Assembly Bill (AB) 571 (Petrie-Norris). The intent of this law is to reduce barriers that licensed healthcare providers face when offering reproductive and gender-affirming healthcare and to increase the number of licensed healthcare providers who are able to provide reproductive and gender-affirming care in California.

The law adds Section 11589.1 to the Insurance Code. It states that an “insurer shall not refuse to issue or renew, nor shall terminate, professional liability insurance for a health care provider in this state, solely based on any prohibited bases for discrimination.” (Ins. Code, § 11589.1, subd. (a)(1).) Prohibited bases for discrimination include, “offer[ing] or perform[ing] abortion, contraception, gender-affirming health care, or care related to those health care services, that are lawful in this state, including, but not limited to, those that may be unlawful in another state.” (*Id.* at subd. (d)(1).) The law also prohibits insurers from “deny[ing] coverage for liability for damages arising from offering or performing abortion, contraception, gender-affirming health care, or care related to those health care services,” if those services are legal in California and otherwise would be covered. (*Id.* at subd. (c).)

Given the importance of ensuring that reproductive and gender-affirming care providers are able to provide care in California, the Attorney General encourages insurers to:

- Review their policies and procedures to ensure that they comply with AB 571;
- Review their employee training to ensure that employees are aware of AB 571; and
- Take any additional proactive steps to ensure compliance with AB 571.

Californians who have information relating to potential healthcare violations of the law should file a complaint at <https://oag.ca.gov/report>.

