

Vermont

In November 2022, Vermonters voted to amend its constitution to read as follows:

Vt. Const. Article 22. Personal reproductive liberty.

That an individual's right to personal reproductive autonomy is central to the liberty and dignity to determine one's own life course and shall not be denied or infringed unless justified by a compelling State interest achieved by the least restrictive means.

18 V.S. § 5222. Reports

(a) The following fetal deaths shall be reported by the hospital, physician, or funeral director directly to the Commissioner within seven days after delivery on forms prescribed by the Department:

- (1)** All fetal deaths of 20 or more weeks of gestation or, if gestational age is unknown, of 400 or more grams, 15 or more ounces, fetal weight shall be reported;
- (2)** All therapeutic or induced abortions, as legally authorized to be performed, of any length gestation or weight shall be reported;
- (3)** Spontaneous abortions and ectopic pregnancies of less than 20 weeks gestation are not required to be reported.

(b) The physician who treats a woman as a result of a miscarriage or abortion shall report the fetal death if it is not known to be previously reported under subsection (a) of this section. If there is evidence of violence or other unusual or suspicious circumstances, the medical examiner shall be immediately notified, and he or she shall complete at least the medical items on the report. If a funeral director is to be involved, the physician may delegate to the funeral director the responsibility for completing items other than those of a medical nature. Similarly, the physician may delegate the responsibility for completion of nonmedical items to appropriate personnel having access to records containing the information.

(c) If a fetal death occurs on a moving conveyance, the place of occurrence shall be given as the town or city where removal from the vehicle took place.

(d) Fetal death reports are for statistical purposes only and are not public records. They shall be destroyed after five years.

18 V.S. § 5225. Penalty

A person who violates a provision of this subchapter, unless another penalty is otherwise provided, shall be fined not more than \$500.00.

§ 9494. Interference with reproductive choice prohibited

(a) A public entity as defined in section 9496 of this title shall not, in the regulation or provision of benefits, facilities, services, or information, deny or interfere with an individual's fundamental rights to choose or refuse contraception or sterilization or to choose to carry a pregnancy to term, to give birth to a child, or to obtain an abortion.

(b) No State or local law enforcement shall prosecute any individual for inducing, performing, or attempting to induce or perform the individual's own abortion.

[18 V.S.A. § 9494](#)

§ 9497. Abortion; restricting access prohibited

A public entity shall not:

(1) deprive a consenting individual of the choice of terminating the individual's pregnancy;

(2) interfere with or restrict, in the regulation or provision of benefits, facilities, services, or information, the choice of a consenting individual to terminate the individual's pregnancy;

(3) prohibit a health care provider, acting within the scope of the health care provider's license, from terminating or assisting in the termination of a patient's pregnancy; or

(4) interfere with or restrict, in the regulation or provision of benefits, facilities, services, or information, the choice of a health care provider acting within the scope of the health care provider's license to terminate or assist in the termination of a patient's pregnancy.

[18 V.S.A. § 9497](#)