



MASSACHUSETTS MEDICAL SOCIETY

Every physician matters, each patient counts.

October 1, 2026

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Her Excellency Maura T. Healey
Governor of the Commonwealth
State House, Room 360
Boston, MA 02133

Dear Governor Healey,

On behalf of the Massachusetts Medical Society (MMS), representing more than 20,000 physicians, residents, and medical students, thank you for your continued leadership in protecting access to comprehensive reproductive health care in the Commonwealth. We are grateful for your signing of Chapter 188 of the Acts of 2026, which will ensure that decisions about abortion care are appropriately made between patients and their physicians. Accordingly, the MMS respectfully urges you to adopt an emergency preamble so that Chapter 188 may take effect immediately and without disruption.

Chapter 188 addresses a narrow but critically important area of care: circumstances in which a patient needs abortion care after 24 weeks of pregnancy. These situations are medically complex and should be evaluated through individualized clinical judgment rather than constrained by rigid statutory categories that cannot fully account for the realities of serious pregnancy complications, fetal diagnoses, or serious risks to a patient's health.

By moving from a framework of prescribed statutory exceptions to a professional clinical judgment standard, Chapter 188 better aligns Massachusetts law with the way medical care is actually delivered. Physicians are entrusted every day to make complex clinical decisions based on the best available evidence, established standards of care, and the unique circumstances of each patient. The same standard should apply to abortion care later in pregnancy.

Importantly, professional judgment is neither arbitrary nor unlimited. Physicians providing this care remain fully accountable to the same standards of care, ethical obligations, hospital policies, licensure requirements, and legal responsibilities that govern every aspect of medical practice. Chapter 188 will allow physicians to apply accepted professional standards to the unique circumstances of each patient, rather than having clinical decision-making constrained by narrow statutory criteria.

Any delay, suspension, or uncertainty in the implementation of Chapter 188 will have real consequences for patients and physicians. We have been made aware that since the bill was signed into law on August 10, several patients have already had to leave the Commonwealth to obtain medically necessary abortion care, underscoring the urgent need for Chapter 188 to take effect without disruption. These barriers to care create significant financial, logistical, and emotional burdens while delaying treatment. Physicians must also navigate statutory terms and varying institutional interpretations that can

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result in inconsistent access across hospitals and undermine the physician-patient relationship.

We recognize that Chapter 188 may be subject to challenge through the referendum process. Any suspension of the law would prolong uncertainty for patients, families, physicians, and health care institutions. It would also delay implementation of a law duly enacted by the legislature and signed by you to protect patients' access to medically appropriate care. An emergency preamble would preserve the legislative and gubernatorial intent behind Chapter 188 by ensuring that patients can access care in Massachusetts and that physicians can provide that care consistent with their professional judgment and without interference.

For these reasons, the Massachusetts Medical Society respectfully urges you to adopt an emergency preamble to Chapter 188.

Thank you for your consideration and for your continued commitment to protecting access to reproductive health care in the Commonwealth.

Sincerely,

Rebecca W. Brendel, MD, JD
President