



# THE NATIONAL CATHOLIC BIOETHICS CENTER

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## Bioethics and Public Policy Report [Click on Endnotes for More Information]

August 2011

**The National Scene:** On August 1, 2011, the *U.S. Department of Health and Human Services (HHS)*, under the signature of its secretary, Kathleen Sebelius, issued new mandates concerning *preventive health services* to be covered by health insurance plans.

[http://www.ofr.gov/OFRUpload/OFRData/2011-19684\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2011-19684_PI.pdf). These mandates require that all health plans provide the full range of FDA-approved contraceptive methods, as “preventive health services” for women.” These FDA-approved contraceptives include potential abortifacients such as so-called emergency contraception and IUDs, as well as surgical sterilizations. Furthermore, no co-pays are to be charged to beneficiaries. Comments should be sent before September 30, 2011 to: [E-OHPSCA2713.EBSA@dol.gov](mailto:E-OHPSCA2713.EBSA@dol.gov). It is critical that the voices of all persons of conscience be heard, noting in particular that pregnancy is not a disease to be prevented and that contraception should not be a mandated “preventive health service.” Respect for conscience is foundational to a just society. At a minimum a robust conscience protection should be granted, not only for all religious employers, but also for all employers, insurers, and policy issuers with moral, ethical, or religious objections. As it is, the limitations contained in the regulations for religious employers make the exemption virtually meaningless. This new threat to conscience makes it especially critical for Congress to pass the “Respect for Rights of Conscience Act”(HR 1179) See:

<http://www.usccb.org/comm/archives/2011/11-143.shtml>. • A U.S. District Court judge dismissed a lawsuit against the federal government, charging that the federal government is precluded by the Dickey-Wilder Amendment from funding *embryonic stem cell* research.<sup>1</sup>

**The State of Conscience/Religious Liberty:** See *The State of Marriage*, below.

**The State of Marriage:** A *Vermont* family-owned inn is being sued for refusing to host a same-sex marriage ceremony based on the religious beliefs of the owners.<sup>2</sup> • A *New York* town clerk has resigned rather than be forced to violate her religious liberty by issuing marriage licenses to same-sex couples.<sup>3</sup>

**State by State:** The American Civil Liberties Union has filed suit against a *Kansas* law that prevents insurance companies from forcing all enrollees to contribute to the cost of elective abortions. The law requires that insurance companies which cover elective abortions offer enrollees a separate rider to cover *non-lifesaving abortions* for an additional cost.<sup>4</sup>

**Recent Good News:** The Governor of *Texas* signed into law a budget which sustained the *abstinence education* standards for youths. Also, the same budget did not explicitly fund *embryonic stem cell research*. Furthermore, there is more good news from Texas which has approved a Choose Life *license plate*.<sup>5</sup> • The *North Carolina Legislature* overrode the governor’s veto of legislation which provides a woman with true informed consent before an *abortion*, by provisions for a fetal ultrasound, counseling, and a 24 hour waiting period.<sup>6</sup>

• The Governor of *Florida* held a signing ceremony for *four pro-life bills* which: allow women the opportunity to view a fetal ultrasound before an abortion; strengthen the parental

notification law (abortion on a minor); prohibit taxpayer funding of abortion under Health Care Reform; and redirect funding for Choose Life license plates to agencies which help women find abortion alternatives.<sup>7</sup> • An **Arizona** Appeals Court lifted a stay on a law protecting informed consent of a woman seeking an **abortion**, so that they are adequately informed of risks, have 24 hours to consider the decisions, and if they are a minor have notarized documentation of parental consent. The law also protects the consciences of health care workers pertaining to abortion.<sup>8</sup>

**Sharing Your Good News and Your Efforts:** If there are public policy advocacy strategies which you wish to share with others please e-mail [mhilliard@ncbcenter.org](mailto:mhilliard@ncbcenter.org).

**Sharing of Resources:** The web page of the National Catholic Bioethics Center is a significant resource in the realm of bioethics: [www.ncbcenter.org](http://www.ncbcenter.org). Also, bioethicists are on call twenty-four hours a day, every day of the week, for consultation by calling 215-877-2660.

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<sup>1</sup> <http://www.ccfiu.org/>.

<sup>2</sup> <http://www.christianpost.com/news/lesbian-couple-sues-vt-inn-over-marriage-ceremony-52575/>.

<sup>3</sup> <http://www.christiannewswire.com/news/5510817431.html>.

<sup>4</sup> <http://www.aclukswo.org/cases/ban-on-insurance-coverage-for-abortions.php>.

<sup>5</sup> [www.TXcatholic.org](http://www.TXcatholic.org).

<sup>6</sup> <http://www.lifenews.com/2011/07/28/north-carolina-overrides-perdue-veto-pro-life-bill-becomes-law/>.

<sup>7</sup> <http://www.lifenews.com/2011/08/01/florida-gov-rick-scott-holds-pro-life-bill-signing-ceremony/>.

<sup>8</sup> <http://www.signonsandiego.com/news/2011/aug/11/arizona-court-clears-way-for-abortion-restrictions/?ap>.