



The National Catholic Bioethics Center

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

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The National Scene: The National Catholic Bioethics Center has provided a statement on *abortion in Catholic hospitals*. See <http://www.ncbcenter.org/NetCommunity/Page.aspx?pid=482&storyid1277=128&ncs1277=3> It should be noted that the comments deal only with information that is public and not with any confidential information that may have been gained through the consultation services provided by The National Catholic Bioethics Center. • The **American Civil Liberties Union**, in a letter to the Centers for Medicare and Medicaid Services, is requesting that Catholic hospitals be forced to engage in *abortion* procedures.¹ • A U.S. federal District Court judge ruled as unconstitutional the "individual mandate" requiring most Americans to purchase health insurance by 2014 (as contained in the **Patient Protection and Affordable Care Act: PPACA**). However, other federal courts in Virginia and Michigan have found that the law is constitutional. The Justice Department is expected to challenge the recent ruling in a federal appeals court. • On July 19, 2010, the Department of Health and Human Services issued an interim final rule for group health plans and health insurance issuers, relating to coverage of preventive services under the PPACA. The HHS invited comments on the regulation to be submitted on or before September 17, 2010, in response to which The National Catholic Bioethics Center submitted comment. Subsequently the **Institute of Medicine** of the National Academies was charged to gather information in an open session, with invited informants on the issue of what constitutes "preventive services" in the newly promulgated PPACA. Invited speakers advanced that **contraceptives and abortifacients are "preventive services,"** thus, indicating that pregnancy was a disease. The National Catholic Bioethics Center attended the forum but was not one of the invited speakers, and sent a letter to the US Dept of HHS expressing the concerns of The National Catholic Bioethics Center on the mechanism used to gather information by the Institute of Medicine.² • **Rep. Jeffery Fortenberry (R-NE)** has introduced the federal H.R. 6570: Respect for Rights of Conscience Act of 2010. The proposal would amend the **PPACA** to protect rights of **conscience** with regard to requirements for coverage of specific items and procedures.³ • The National Catholic Bioethics Center has responded to new **Medicare Regulations** funding **end-of-life care discussions**, effective January 1, 2011 and promulgated without much public awareness.⁴ • The lame duck session of the **US Congress** passed a repeal of the United States military policy of "Don't ask; don't tell;" and President Obama signed into law the provision that allows persons who publicly disclose their **homosexuality** to serve in the military.⁵ • The National Defense Authorization Act of 2011 was enacted into law without the Burriss Amendment, which would have allowed for **abortions at military medical facilities**.⁶

The State of Conscience/Religious Liberty: The *Missouri* legislature will be hearing a bill which, if passed, will provide *conscience protections for pharmacists*, as they dispense medications.⁷ • The *Washington State Board of Pharmacy* is refusing to allow pharmacies the right of conscience in the dispensing of abortifacients, while allowing that right to an individual pharmacist, if provisions are made for dispensing by another pharmacist on duty. The conscience rights of Independent pharmacies, and those with limited numbers of pharmacists on duty, will be significantly compromised, since not even a transfer of care will be allowed.⁸

The State of Marriage: The *Illinois Legislature* has passed into law legislation that will recognize civil unions, which the Governor says he will sign in 2011.⁹ There is no explicit religious exemption for employers or other Church related social service agency programs.¹⁰

State by State: The *New York City Council* has implemented a controversial organ harvesting pilot program that may have implications for the sacrosanct principles of bodily integrity and informed consent, and potentially the *Dead Donor Rule*. "Organ Preservation Ambulances," vans carrying an organ donation crew, are now allowed to rush to homes of 911 calls. The NCBC continues to seek more information, before it can make further comment.¹¹ • An Anchorage, *Alaska* Superior Court judge has rendered ineffective the *parental notification for abortion law* by abrogating the section on penalties for the physician who violates the law.¹² • A *Georgia* woman claims that the state's law which prohibits *assisted suicide* is vague and unconstitutional, and that it violates her free speech rights, blocking her access to information on how to commit suicide from right-to-die groups.¹³

Recent Good News: The *New Jersey* Motor Vehicle Commission has approved the *Choose Life license plate*.¹⁴

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.

Sharing of Resources: The web page of the National Catholic Bioethics Center is a significant resource in the realm of bioethics: 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.

¹ <http://www.lifenews.com/2010/12/23/nat-6961/>.

² <http://www.ncbcenter.org/NetCommunity/Page.aspx?pid=482&storyid1277=127&ncs1277=3>.

³ <http://www.govtrack.us/congress/bill.xpd?bill=h111-6570>.

⁴ <http://www.ncbcenter.org/NetCommunity/Page.aspx?pid=482&storyid1277=128&ncs1277=3>.

⁵ <http://www.npr.org/2010/12/27/132366702/legal-questions-linger-after-dont-ask-repeal>.

⁶ <http://catholicadvocate.com/?p=2648>.

⁷ <http://www.lifenews.com/2010/12/08/state-5725/>.

⁸ <http://www.publicola.net/2010/12/16/pharmacy-board-rejects-attempt-to-weaken-access-to-plan-b/>.

⁹ http://www.nytimes.com/2010/12/02/us/02illinois.html?_r=1&partner=rss&emc=rss.

¹⁰ <http://www.uscatholic.org/blog/2010/12/church-employees-and-civil-unions>.

¹¹ <http://www.cnn.com/2010/US/12/01/new.york.911.organ.donation/index.html>.

¹² <http://www.lifenews.com/2010/12/15/opi-1036/>.

¹³ http://www.google.com/hostednews/ap/article/ALeqM5j_ySBhhRikA4eFM84-SVy8f1cCNw?docId=3b1765f2b2e147df96beb8447f2ee867.

¹⁴ <http://www.christiannewswire.com/news/2639715683.html>.