



THE NATIONAL CATHOLIC BIOETHICS CENTER

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Bioethics Public Policy Report November 15, 2018

National

- *Revised contraception mandate exemptions:* The Departments of Health and Human Services (HHS), Labor, and Treasury have announced [revised rules](#) regarding exemptions from the Obamacare contraception and sterilization coverage mandate. Initial rules were announced in October 2017, but they were promptly put on hold by two federal judges. Under the newly revised rules, individuals, small businesses, and non-profit organizations that object to the mandate on either religious or moral grounds can claim an exemption, however publicly traded companies cannot. Interestingly, in April 2018, the Catholic Benefits Association won a permanent federal injunction against the mandate, so all of its present and future members are exempt from it.
- *New rules to combat Obamacare abortion funding:* The Centers for Medicare and Medicaid Services (CMS) has proposed a [new rule](#) that requires health plans to separate abortion billing from that of other health care services. Federal law prohibits tax dollars from being used for abortion, but critics have charged that for years a lack of oversight of the Obamacare health care exchanges has allowed such funding to occur. Under the new rule, CMS is insisting that insurers send a separate invoice for the amount of a plan member's monthly premium that covers abortion.
- *Deja-vu at AMA:* For the second year in a row, the American Medical Association's (AMA) House of Delegates has referred back to committee a report from its Council on Ethical and Judicial Affairs (CEJA) that recommended the organization not change its opposition to assisted suicide. The vote to send the report back was 275–259, a narrower margin than last year, indicating that opposition to assisted suicide has increased among the AMA's voting members. Click [here](#) for the CEJA report.
- *Ethical vaccine boosting profits:* Glaxo Smith Kline is reporting that demand for [Shingrix](#), its new vaccine for Shingles, is exceeding expectations. The company projects the vaccine's sales this year to be in the \$900–950 million range, and demand for it is so great the company is having difficulty maintaining its availability. Interestingly, Shingrix is an ethically-sourced vaccine, unlike its competitor Zostavax that is derived from aborted fetal tissue.
- *Proposed "birthright" order to affect commercial surrogacy:* If President Trump signs an executive order that ends automatic citizenship for children born in the United States, it will likely have a negative effect on international [surrogacy market](#). Today, wealthy foreigners—particularly from China—take advantage of "birthright" by contracting for surrogacy with American women so that any children conceived in this manner will become US citizens. If "birthright" is remanded, there will be much less of an incentive to "employ" these American surrogates.
- *Lifting restrictions on access to mental health treatment:* The Department of Health and Human Services (HHS) has announced the [lifting](#) of restrictions that prevented Medicare from providing long-term mental health treatment in inpatient facilities. The restrictions were put into place to prevent the "warehousing" of psychiatric patients, but when people in need of mental health treatment cannot access it they end up in emergency rooms, or on the streets. Under the new

proposal, Medicaid is able to pay for patients with severe mental illness for an average of 30 days.

- *Obamacare enrollments down:* In the first ten days of this year's open enrollment period, 300,000 [fewer](#) people have signed up for health exchange plans than last year. Approximately 1.2 million people have enrolled this year versus 1.5 million during the same time period last year. 2018 marks the first year since the health care reform legislation was passed that people do not have to pay a penalty if they do not have health insurance.

State by State

- *WV approves revised abortion language:* On Nov 6th, [West Virginia](#) voters adopted Amendment 1 adding the following language to the state constitution: "Nothing in this Constitution secures or protects a right to abortion or requires the funding of abortion." The measure, which passed 51.7 percent to 48.3 percent, also prevents Medicaid dollars from being used for abortion.
- *AL voters approve revised abortion language:* On Nov 6th, [Alabama](#) voters adopted state Amendment 2 which affirms that "the constitution of this state does not protect the right to abortion or require the funding of abortion." The amendment also mandates that the state "recognize and support the sanctity of unborn life and the rights of unborn children." This measure passed 59.5 percent to 40.5 percent.
- *Oregon rejects abortion funding ban:* On November 6th, voters in [Oregon](#) rejected Measure 106 which would have ended public funding of abortion except in cases of incest, rape, or danger to the mother's life. Measure 106 was in response to an August 2017 law requiring state taxpayers to pay for elective abortions. The measure fell 64.2 percent to 35.8 percent.
- *Virginia legislative committee rejects assisted suicide:* The [Virginia](#) legislature's Joint Commission on Health Care has rejected a proposal aimed at legalizing assisted suicide, or so-called medical aid in dying. The proposed legislation would have allowed patients with less than six months to live to request life-ending drugs. Each of the Republican committee members voted against the measure as did one Democrat.

International

- *Religious order takes action against euthanasia:* The Brothers of Charity, a religious congregation in [Belgium](#) that specializes in caring for patients with psychiatric diseases, is taking steps to distance itself from euthanasia. In recent months, some of the order's lay board members had publicly accepted protocols for the direct euthanasia for patients within the congregation's twelve psychiatric hospitals. Now, two of these board members—Luc Lemmens and Veron Raes—have been told by the congregation that their service will be ending. The general superior of the Congregation, Brother René Stockman, is against the practice of euthanasia, as is the Belgian Bishops Conference. Br. Stockman was confirmed as the congregation's general superior at its assembly last July, and this confirmation was interpreted as order reaffirming its anti-euthanasia position.
- *Aussie husband sentenced for coercing wife's suicide:* Graham Morant, a self-proclaimed religious pastor, has been sentenced by an [Australian](#) court to ten years in jail for pressuring his wife into committing suicide. Jennifer Morant, who was chronically ill and suffered from depression, ended her life shortly after her husband made himself the beneficiary of three life insurance policies on her worth approximately \$1.4 million.
- *Dutch to prosecute doctor for euthanasia:* Authorities in the [Netherlands](#) will prosecute a geriatrician who in 2016 euthanized a woman with advanced dementia. The case investigation revealed that the patient's living will was "unclear and contradictory," and that there was conflicting information about

whether or not she wanted to die. The investigation also revealed that the patient woke up during the injection of one of the drugs and physically resisted it, and that the doctor had family members had restrain the patient so the remainder of the euthanasia drugs could be administered.

Of Note

- *Italy offering land for children:* The [Italian](#) government is offering free, 20-year leases on state-owned agricultural land to families who give birth to a third child. One needs to be a resident of the nation for at least 10 years to be eligible.
- *“Want to swap a girl for a boy?”* A woman in New York using social media to ask if anyone would be willing to [exchange](#) a female embryo for a male one.

Sharing the News: If you have public policy news that you would like to share with the NCBC, or if you have colleagues who would like to receive the Bioethics Public Policy Report, please contact Joe Zalot at 215-871-2014 or jzalot@ncbcenter.org.

Sharing the Resources: The web page of The National Catholic Bioethics Center, available at <http://www.ncbcenter.org/>, is a significant resource for bioethics information. NCBC bioethicists are also on-call for consultation twenty-four hours a day, seven days per week, at 215-877-2660.

Previous editions of the Bioethics Public Policy Report are available on the NCBC website at <https://www.ncbcenter.org/advocacy/public-policy-reports/>.