



THE NATIONAL CATHOLIC BIOETHICS CENTER

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National

- *New HHS Rule defunds Planned Parenthood:* On February 22nd, the Department of Health and Human Services announced a new final [rule](#) regarding Title X, the federal program that subsidizes preventive care and family planning services for low income families. Most importantly, the new “Protect Life Rule” requires both physical and financial separation between recipients of Title X funds and facilities that perform abortions. In other words, Planned Parenthood (and other) centers where abortions are performed are now ineligible for Title X funding, a loss estimated at \$60 million per year. The new final rule also prohibits Title X funds to be used to “perform, promote, refer for, or support abortion as a method of family planning” and it ensures conscience protection by eliminating the requirement that Title X providers counsel and refer for abortion. Finally, the new rule requires that Title X recipients act in accord with state reporting laws concerning sexual abuse, intimate partner violence, incest, and human trafficking. Following the announcement of the new rule, Washington state Attorney General Bob Ferguson indicated that he will sue the Trump Administration to prevent its enforcement.
- *Senate still can't ban infanticide:* The Born-Alive Abortion Survivors Protection Act, a law that would have compelled clinicians to provide medical care to infants who are born alive following an abortion procedure, [failed](#) in the United States Senate. Democrats filibustered the bill and a motion to invoke cloture (end debate) failed to reach the necessary 60 votes (the vote was 53 to 44 in favor). Democrats Joe Manchin (WV), Bob Casey (PA) and Doug Jones (AL), voted in favor of cloture. The legislation's lead sponsor, Senator Ben Sasse (R-NE), stated before debate began: “I urge my colleagues to picture a baby that's already been born, that's outside the womb gasping for air. That's the only thing that today's vote is actually about. We're talking about babies that have already been born. Nothing in this bill touches abortion access.” In response, several Democratic senators stated the bill would force doctors to provide care against the “reproductive rights” and “choices” of women.
- *Abortion extremism backfiring?* Recent state-level legislation on late-term abortion may be [backfiring](#) against abortion supporters. In January, Marist conducted a poll for the Knights of Columbus concerning American's attitudes toward abortion. A follow-up poll was commissioned one month later in February, following the passage of late-term abortion legislation in New York (along with the introduction of similar legislation in other states) and comments of the Virginia Governor Ralph Northam concerning the (non)treatment of newly born children. The results are notable. In January, 55 percent of Americans identified as pro-choice, by February that number had dropped to 47 percent. In January, 38 percent of Americans identified pro-life, by February that number had increased to 47 percent. From January to February the percentage of Democrats who identified as pro-choice fell from 75 percent to 61 percent, while the percentage who identified pro-life increased from 20 percent to 34 percent. Perhaps most telling, the January poll indicated that among Americans 45 years and younger, 65 percent identified as pro-choice; in February this number fell to 48 percent.

- *Democrats introduce “Medicare for All”*: Representative Pramila Jayapal (D-WA), with the support of more than 100 House Democrats, has [introduced](#) a “Medicare for All” bill aimed at moving the US to a single-payer health care system within two years. The bill eliminates the 65 year-old threshold for Medicare eligibility, requires no premiums or deductibles, and includes no co-pays or out-of-pocket costs for services. Interestingly, the bill fails to address how the government will pay for Medicare expansion. Jayapal said that funding possibilities include increasing taxes on the wealthy and increasing employer premiums.
- *Military spending millions on “transgender” troops*: According to [data](#) obtained by USA Today, the US military has spent approximately \$8 million on medical services for troops who claim to be transgender. As of February 1st of this year, 1071 troops have been diagnosed with gender dysphoria. Medical services included 22,992 psychotherapy sessions, 9,321 hormone prescriptions, and 161 surgical procedures. Types of surgeries included 103 breast reductions or mastectomies, 37 hysterectomies, and 17 “male reproductive” procedures.
- *Pro-life movie gets R rating*: The movie “Unplanned” which tells the story of Abby Johnson—a former Planned Parenthood clinic director who left her position, became a pro-life advocate, and now counsels those who leave the abortion industry—has received an “R” [rating](#) from the Motion Picture Association of America. The purported rationale for the rating is that the movie contains “some disturbing/bloody images.”

Federal Courts

- *High Court sides with Texas bishops*: The US Supreme Court has [rejected](#) the appeal of Whole Woman’s Health in their effort to obtain private records from the Texas Catholic Conference of Bishops. The appeal involved a Texas law that requires abortion centers to bury or cremate the remains of children killed in abortion procedures. While this law is temporarily blocked as it moves through the appeals process, the Texas bishops had offered to pay for the burials or cremations. Because of this offer, Whole Woman’s Health sought to subpoena multiple years of Texas bishops internal documents related to abortion.
- *Adoption agency fighting back*: Christian adoption agency New Hope Family Service is [suing](#) the state of New York in federal court over the state’s demand that the agency place children with unmarried and same-sex couples, or be shut down. The state’s Office of Children and Family Services (OCFS) wrote to New Hope stating that its policies were “discriminatory and impermissible” and that if the agency did not comply with the state’s non-discrimination laws, OCFS “will be unable to approve continuation of New Hope’s current adoption program and New Hope will be required to submit a close-out plan for the adoption program.” New Hope has been operating since 1965 and has never taken any state funds. Adoption agencies in Massachusetts, Illinois, and Washington DC have closed due to similar “non-discrimination” laws in those jurisdictions. New Hope is the first adoption agency to file a federal suit challenging such laws.

State by State

- *Arkansas takes aim at abortion*: Governor Asa Hutchinson (R) of [Arkansas](#) has signed into a law a “trigger” measure that will automatically ban abortion in the state if the US Supreme Court overturns Roe v. Wade. The law will not apply in cases of rape, incest, or medical emergency. Four other states—Louisiana, Mississippi, North Dakota and South Dakota—have similar “trigger” laws, and they are being introduced in Kentucky and Tennessee.
- *Iowa will not appeal abortion defeat*: In May 2018, [Iowa](#) Governor Kim Reynolds signed into law a measure that banned abortion after the detection of fetal heartbeat—the “Heartbeat Bill.” In January 2019, state district judge Michael Huppert declared the law unconstitutional. Now, in an “extremely difficult

decision,” Reynolds has decided not to appeal the case to the Iowa Supreme Court. The governor explained that such appeal likely would not be successful at the state Supreme Court due to a 2018 ruling where the court found a mandatory 72-hour waiting period for abortion unconstitutional on the grounds that “a woman’s right to decide whether to terminate a pregnancy is a fundamental right under the Iowa Constitution.” Reynolds added due to the courts’ rulings and the “legal maneuverings” of Planned Parenthood, there is “no path” to a successful appeal or to get the state law in front of the US Supreme Court.

International

- *Abortionists only need apply:* [Ireland’s](#) National Maternity Hospital (Dublin) is advertising for a consultant anesthetist and a consultant in obstetrics and gynecology, but will only consider candidates who are willing to perform abortion. A statement from the hospital clarified that the positions include “provision of termination-of-pregnancy services, and are for individuals willing to contribute to the provision of these services.” Abortion was legalized in Ireland last year. The nation’s health department will spend 7 million euros this year to fund “abortion services,” and 12 million euros in 2020.
- *British pro-life group vindicated:* The United Kingdom’s High Court has ruled that Life, a [British](#) pro-life charity, was the victim of libel and slander by the Lambeth Council. The case revolved around the charity’s eviction from the Lambeth Country Show in south London’s Brockwell Park last year. The charity was awarded £5,000.
- *Posthumous parenting in Palestine:* [Israeli](#) society, and its courts, are increasingly responding to the challenges brought about when sperm from a dead man is used to engender children.

Of Note

- “Senate Democrats just voted against legislation to prevent the killing of newborn infant children ... This will be remembered as one of the most shocking votes in the history of Congress. If there is one thing we should all agree on, it’s protecting the lives of innocent babies.” — Tweet from President Donald Trump on the Senate’s failure to pass the Born-Alive Abortion Survivors Protection Act.

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/>.