



THE NATIONAL CATHOLIC BIOETHICS CENTER

600 REED ROAD, SUITE 102, BROOMALL, PA 19008 (215) 877-2660 (215) 877-2688 FAX NCBCENTER.ORG

Bioethics Public Policy Report February 17, 2023

State by State

- In light of allegations from whistleblower Jamie Reed, [Missouri](#) Attorney General Andrew Bailey is opening a criminal investigation of the Washington University Transgender Clinic at St. Louis Children's Hospital. Reed had been a case worker at the clinic but left when she realized it was grievously hurting children, not helping them. An article describing Reed's experiences at the transgender center is available [here](#), her sworn affidavit is [here](#). In announcing the investigation, Attorney General Bailey [stated](#), in part: "We have received disturbing allegations that individuals at the Transgender Center at St. Louis Children's Hospital have been harming hundreds of children each year, including by using experimental drugs on them. We take this evidence seriously and are thoroughly investigating to make sure children are not harmed by individuals who may be more concerned with a radical social agenda than the health of children." For further information and perspective, click [here](#) and [here](#).
- On February 10th, the [Florida](#) Board of Medicine and Board of Osteopathic Medicine both unanimously confirmed a rule barring doctors from providing hormones or surgical procedures for minors seeking so-called gender transition. The two boards' action solidifies their "Standards of Practice for the Treatment of Gender Dysphoria in Minors" which was accepted in November 2022. The only change to the newly approved standards is that the Osteopathic Board dropped an exception which had allowed doctors to provide nonsurgical transitioning interventions within approved clinical trials. A video of the full meeting is available [here](#).
- [South Dakota](#) Governor Kristi Noem has signed the "Help Not Harm" bill, a law that prevents children under age eighteen from accessing interventions (puberty-blockers, cross-sex hormones and surgical procedures) for so-called transitioning. The law also includes provisions to punish doctors who provide such interventions to children, including revoking their medical license and opening them to civil suits. In signing the bill, Noem stated: "With this legislation, we are protecting kids from harmful, permanent medical procedures. I will always stand up for the next generation of South Dakotans."
- On February 7th, [Texas](#) Attorney General Ken Paxton has filed a lawsuit against the Biden administration which has threatened to withhold Medicare and Medicaid funds from pharmacies that do not provide abortion-inducing drugs (mifepristone or chemical abortion). Paxton stated: "The Biden Administration knows that it has no legal authority to institute this radical abortion agenda, so now it's trying to intimidate every pharmacy in America by threatening to withhold federal funds. It's not going to work. Texas and several other states across the country have dutifully passed laws to protect the unborn, and we are not going to back down just because unelected bureaucrats in Washington want to create illegal, extremist federal policies." For further information, click [here](#). The lawsuit is available [here](#).

Federal Courts

- The Second Circuit Court of Appeals (New York) has announced that it will [rehear](#) the case of four female high school athletes in Connecticut who had sued the state Interscholastic Athletic Conference for allowing males to compete in female sports. A panel of judges from the court had previously ruled against the women. Alliance Defending Freedom (ADF) Senior Counsel Christiana Kiefer responded stating: “We’re pleased the 2nd Circuit has decided to rehear this important case, and we urge the court to protect women’s athletic opportunities. Eighteen states have enacted laws that protect women and girls from having to compete against males, and polls show that a majority of Americans agree that the competition is no longer fair when males are permitted to compete in women’s sports. Every woman deserves the respect and dignity that comes with having an equal opportunity to excel and win in athletics.”

National

- Joe Biden used his February 7th State of the Union Address to once again call upon Congress to [codify](#) abortion in federal law. The nation’s second “Catholic” president stated, “Congress must restore the right that was taken away [when the Supreme Court overturned] *Roe v. Wade*.” He then added: “The vice president and I are doing everything to protect access to reproductive health care and safeguard patient [privacy]. But already, more than a dozen states are enforcing extreme abortion bans. Make no mistake about it: If Congress passes a national abortion ban, I will veto it.” For more information and perspective, click [here](#) and [here](#).
- On February 16th, the [Kentucky](#) Supreme Court refused to block two abortion-restricting laws from taking effect while legal challenges against them move forward. The first is a trigger law that makes abortion illegal except to save a pregnant woman’s life or to “prevent the serious, permanent impairment of a life-sustaining organ.” This law went into effect following the US Supreme Court’s Dobbs decision. The second law prohibits abortion following the detection of an unborn child’s heartbeat.
- The Charlotte Lozier Institute has published a new [study](#) showing that sixty-one percent of women who had an abortion were pressured to do so. The study titled “Effects of Pressure to Abort on Women’s Emotional Responses and Mental Health,” demonstrates that the perceived pressure to abort is associated with increased moral and maternal conflict over the abortion decision; greater frequency of thoughts, dreams, or flashbacks regarding the abortion; and more frequent feelings of loss, grief or sadness about the abortion.
- Joe Biden’s Department of Defense has [announced](#) policy clarifications regarding service members’ “reproductive health.” The military will now offer leave and reimburse expenses for [abortion](#) if a service member is stationed in a state that has banned the practice. The new policy also covers in vitro fertilization (IVF) and intrauterine insemination.
- The Associated Press (AP) has [updated](#) its style guide to inform journalists that crisis pregnancy centers are now to be termed “anti-abortion centers.” The AP states, “If using the term *anti-abortion center*, explain later that these often are known as ‘*crisis pregnancy centers*’ (with quotation marks) and *that their aim is to dissuade people from getting an abortion*” (emphasis in original).
- Joe Biden also used his February 7th State of the Union Address to urge [passage](#) of the so-called Equality Act. This legislation would equate sexual orientation and gender

identity with race, sex, and religion with regard to anti-discrimination laws. It would also negate religious liberty or Religious Freedom Restoration Act protections with regard to sexual orientation and gender identity. The then Democrat-controlled US House of Representatives passed this legislation in 2021 but the Senate failed to act on it.

- The Centers for Disease Control and Prevention (CDC) [reports](#) there were 48,183 suicides in the United States in 2021, up from 45,979 in 2020. On a related note, the CDC also [reported](#) that the “sadness rate” among US teenagers is at its highest level in a decade. Close to three in five girls reported “persistent sadness” in 2021, a figure double that of boys. Also, approximately seventy percent of teens who identified as gay, lesbian, or bisexual reported “feeling sadness every day for at least two weeks during the previous year.” Click [here](#) for further information and perspective.
- The Centers for Disease Control and Prevention (CDC) is now including COVID vaccines in its [immunization](#) schedules for both adults and children. As just one example, the CDC is now recommending that babies and toddlers between six months and fifteen months receive either a two-or three-dose primary series of COVID shots and then boosters. The updated schedule is available [here](#).
- The Government Accountability Office is reporting that [fraud](#) associated with COVID-related unemployment insurance programs administered by the Labor Department has totaled over \$60 *billion*, and the number is “perhaps much higher.”

Latest “Bioethics on Air” Podcast

- Episode 108: [Celebrating 50 Years of the NCBC](#). Dr. John Haas, NCBC President Emeritus, and Dr. Joseph Meaney, our current President, join Joe Zalot to commemorate the Center’s accomplishments over its first fifty years and chart its course for the future.

Of Note

- “There are human beings who do not have human rights. It’s the obvious conclusion.” – [Bishop José Ignacio Munilla](#) of Orihuela-Alicante, Spain, commenting on the Spanish Constitutional Court’s decision to uphold abortion, describing it as the right to dispose of human life up to the first fourteen weeks of gestation.
- “The whole thing usually takes about five minutes, although it took longer than usual in this case because the patient was otherwise young and healthy. Eventually their heart stopped.”—[Madeline Li](#), a Canadian physician who regrets euthanizing a cancer patient who had a sixty-five percent chance of being cured.

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 jjzalot@ncbcenter.org. Previous editions of this report are available through the [Public Policy](#) page of the NCBC website.

Sharing the Resources: If you enjoy receiving the Bioethics Public Policy Report and would like to support its continued publication, please consider making a [donation](#) to the NCBC.

The National Catholic Bioethics Center webpage, 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.