# Bioethics Public Policy Report November 7, 2023

### **National**

- Nine Republican senators wrote a letter to the Department of Health and Human Services in opposition to a proposed rule by the Department to provide abortions for unaccompanied minors crossing the border to Mexico. They suggest that it is a violation of the Hyde Amendment, which bars the use of federal funds for abortion, as well as an upending of conscience protections for ORR employees and contractors. For further information, click <a href="here">here</a>.
- Sen. Roger Marshall, R-KS, attempted to pass a resolution to stop the Biden administration spending policy withholding school lunch funds from school districts that fail to implement transgender policies in schools. The resolution failed nearly on party lines by a vote of 50-47. For further information, click <a href="here">here</a>.
- Sixteen attorneys general have signed an open letter condemning crisis pregnancy centers for spreading "misinformation and harm." The letter follows a lawsuit brought by Texas Attorney General Ken Paxton against Yelp for asserting that most personnel at crisis pregnancy centers are not licensed medical professionals. The sixteen AGs assert that crisis pregnancy centers are misleading when they speak of a "fictitious condition" called "post-abortion syndrome" or "post-abortion stress" and when they assert that abortion may cause "grief and regret." For further information, click <a href="here">here</a>.

### **Federal Courts**

- A father in New Jersey has sued the Cherry Hill school district for a policy which allows teachers and school administrators to hide a child's "gender transition" from their parents. In his lawsuit, he alleges violations of state and federal law. He argues that the policy goes beyond what powers are granted by the State to the school districts, and that the law violates parental rights guaranteed under the Fourteenth Amendment. For further information, click here.
- A federal court judge in the Southern District of Indiana has ruled that the Satanic Temple does not have standing to challenge Indiana's recently passed pro-life laws, which almost completely outlaw abortion, with very few exceptions. Specifically, the Satanic Temple failed to prove an injury-in-fact as a result of the State's new law, notwithstanding their assertion that it interfered with their "right" to "the Satanic Abortion Ritual." The judge cited that the Satanic Temple had notice of their standing defects and failed to cure them. For further information, click here.
- 33 out of 50 States have sued Mark Zuckerberg's Meta Platforms Inc. for pervasive harm to the mental and physical health of young people, citing that its platforms "exploit and manipulate its most vulnerable consumers: teenagers and children." The suit is a somewhat bipartisan effort, with 20 Democratic attorneys general and 13 Republican attorneys general. For further information, click <a href="https://example.com/here-exam

# **State by State**

## Judicial

- Arizona Supreme Court Justice William Montgomery has declined to recuse himself in an upcoming case relating to abortion, citing that he will uphold his oath of office to "determine the merits of any legal argument... without passion or prejudice," and that he will be "fair and impartial" in deciding the case, which will determine whether abortion will remain illegal in Arizona following the *Dobbs* decision. For further information, click here.
- Oklahoma Governor Kevin Stitt has criticized Oklahoma Attorney General (AG) Gentner Drummond, a fellow Republican, for suing a virtual charter school board for accepting St. Isidore of Seville Catholic Virtual School. The AG asserts that the approval of the school is a violation of the "religious liberty of Oklahoma taxpayers," and further accused the school of "religious indoctrination" in a press release. Gov. Stitt argues that the move is constitutional, citing, "Nobody is forcing kids to go to any religious charter school," but rather that charter schools are "just another option." For further information, click <a href="here">here</a>.

#### International

- A survey conducted in British Columbia found that 58% supported the right of religious hospitals not to be forced to administer Canada's medical assistance in dying (MAiD) program. The survey follows an incident where St. Paul's Hospital refused to administer MAiD to a terminally ill patient, and the patient was transferred to another facility. The survey revealed that 7/10 Canadians believe, conversely, that individual doctors should be forced to refer terminally ill patients to doctors who would be willing to administer MAiD. For further information, click here.
- A woman was confronted by a police officer in Birmingham, United Kingdom, for praying silently in a "buffer zone" outside of an abortion clinic. According to the ADF UK, "authorities have banned any 'expression of approval or disapproval of abortion', including through prayer." The woman, Isabel Vaughan-Spruce, has gotten in trouble with Birmingham on several prior occasions for violation of this law. The city said that it would not pursue the fine on this occasion, but warned that it would going forward. For further information, click <a href="here">here</a>.
- A Christian school in Germany, Dietrich Bonhoeffer International School, was shut down
  by German authorities for failure to follow the government's "educational mandate,"
  despite its excellent academics. The school's hybrid approach was deemed to be
  incompatible with the mandate. For further information, click <a href="here">here</a>.

### **Catholic Resources**

 Bishop Donald Hying of Madison, WI, wrote an article on the history of anti-Catholicism in America, discussing from where the modern animus comes and what Catholics can do about it. While noting that American anti-Catholicism originated among Protestants, Bishop Hying suggests that the modern origins stem from modern opposition to the Church's teachings on abortion, sexuality, and gender. To remedy this, he said, "In the face of society's double-standard, we must remain faithful to Catholicism's internally consistent doctrine," and further, "The Church teaches the truth about the human person... not because we hate or exclude anyone, but because we love everyone and want them to encounter the fullness of life, love, and grace which the Lord offers us through alife of faith and discipleship." For further information, click <a href="here">here</a>. For Bishop Hying's article, click <a href="here">here</a>.

### Of Note

• The American Medical Association (AMA) is considering abandoning its current position on physician assisted suicide at its interim meeting next month. The resolution proposes obscuring the language from "assisted suicide" to "medical aid in dying." The AMA resolution suggests that assisted suicide is "a matter of personal autonomy" and "self-determination." The current guidance says that assisted suicide is "fundamentally incompatible with the physician's role as healer." For further information, click here.

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