



Bioethics Public Policy Report April 9, 2024

State by State

- The American Civil Liberties Union (ACLU) of Ohio has sued the State of Ohio for its laws prohibiting transgender surgeries and drugs for minors, claiming that it violates certain provisions of Ohio's state constitution and that it is discriminatory against confused minors who believe themselves to be "transgender." Specifically, the ACLU asserts that the law "prohibit[s] the purchase or sale of health care or health insurance," in violation of Article 1, Section 21, of the Ohio constitution. For further information, click [here](#).
- The New Hampshire House of Representatives is to reconsider HB 1273, a bill that would legalize assisted suicide if passed. This comes after Rep. Mike Ouellet filed a motion to reconsider after the initial vote, where the bill passed by just three votes, Rep. Ouellet voting in favor. Rep. Ouellet said that he wanted to reconsider because of his Catholic faith. For further information, click [here](#).
- South Dakota Gov. Kristi Noem signed a "MedEd" bill into law that will require the creation of an educational video to correct misinformation about abortion spread by the abortion lobby. Under the new law, the South Dakota Department of Health will create a video to explain when "life-threatening exceptions" will apply under the State's laws prohibiting abortions. For further information, click [here](#).
- Cases of assisted suicide rose from 433 in 2022 to 560 in 2023 in Oregon after the State passed a law discarding the residency requirement for assisted suicide. The State has been seeing nothing but increases in numbers of people opting to commit suicide under the so-called "Death with Dignity" Act since its passage in 1997. For further information, click [here](#).
- In Florida, the State's supreme court in two separate rulings upheld the legislature's 15-week abortion ban but also upheld a ballot proposal that would enshrine abortion as a "right" under the state constitution. The court ruled 6-1 that the State's Heartbeat Protection Act was constitutional, and so the law will take effect. However, the court ruled 4-3 that a proposal to amend the state constitution could go on the ballot, and the amendment would read, "No law shall prohibit, penalize, delay, or restrict abortion before viability or when necessary to protect the patient's health, as determined by the patient's health care provider." For further information, click [here](#).
- Michigan Gov. Gretchen Whitmer signed a bill into law that will allow paid surrogacy in the State. The law reverses the preceding Michigan Surrogate

Parenting Act of 1988 that prohibited a market for surrogacy. For further information, click [here](#).

- Pro-abortion groups in Arizona reached the signature threshold to get a constitutional amendment proposal on the ballot in November that “would extend elective abortion through the second trimester of pregnancy and legalize many abortions until the moment of birth.” For further information, click [here](#).

Federal Courts

- During oral arguments for the case brought by the Alliance for Hippocratic Medicine (AHM) to prohibit mailing of the chemical abortion drug mifepristone, the Supreme Court signaled skepticism as to whether the AHM had standing to sue. Under the standing doctrine, only those plaintiffs who have suffered concrete and particular injuries may bring suit. For further information, click [here](#).
- The Biden administration has convicted four pro-life activists under the Freedom of Access to Clinic Entrances (FACE) Act after being arrested at a pro-life protest held at an abortion clinic in Tennessee in March of 2021. One of those convicted, Eva Edl, is age 87 and a survivor of Soviet concentration camps who fled Eastern Europe. The four pro-life activists face a “maximum of six months in prison, five years of supervised release, and fines of up to \$10,000.” For further information, click [here](#).
- The Biden administration’s Department of Justice (DOJ) has sued Utah for “discriminating” against “transgender” inmates under the Americans with Disabilities Act (ADA). The DOJ alleges that Utah failed to provide “equal access to health care services” for an inmate requesting hormone therapy. For further information, click [here](#).

Conscience/Religious Liberty

- The governors of West Virginia, Utah, and Idaho have signed religious freedom bills into law. In West Virginia, the law prohibits state universities from denying benefits to religious organizations that would otherwise be entitled thereto. In Utah, the law recognizes religious freedom as “a fundamental right,” allowing a cause of action against governmental entities that discriminate on that basis. In Idaho, the law prevents state and local government agencies from discriminating against adoption agencies or foster care services for their religious beliefs. For further information, click [here](#).
- Iowa Gov. Kim Reynolds signed into law the State’s own Religious Freedom Restoration Act (RFRA). On a state-level, the law instructs courts to apply the legal standard that was in place before the U.S. Supreme Court’s 1993 decision in *Employment Division v. Smith* that requires any state law substantially burdening exercise of religion to be in the furtherance of a compelling state interest and the least restrictive means of furthering that interest. For further information, click [here](#).

International

- Catholic bishops of Norway have condemned a recent national proposal, NOU 2023:29 Abortion in Norway —New Legislation and Better Services, which would massively expand abortion “rights” in the country. The bishops called the proposal “a step away from Norway’s Christian and humanistic heritage.” For further information, click [here](#).
- A group of French senators, led by the center-right Les Republicains (LR) opposition party, is moving to protect minors from “transgender” procedures after a recent report called the practice of “transitioning” minors “one of the greatest ethical scandals in the history of medicine.” For further information, click [here](#).

Of Note

- Pope Francis issued *Dignitas Infinita*, which addresses such matters as gender theory, sex changes, surrogacy, euthanasia, abortion, poverty, human trafficking, and war, which he calls “violations of human dignity that seriously threaten the future of the human family.” He, therefore, exhorts the faithful to promote “the dignity of every human person, regardless of their physical, mental, cultural, social, and religious characteristics.” To read the declaration, click [here](#). For further information, click [here](#).
- Women in Generation Z have been found to disaffiliate from their religion more than men, according to a recent study. The study found that 54% of Generation Z adults who left their religions are women, and 46% are men, which is almost the reverse of a study that found 43% women and 57% men among the Baby Boomers. Other surveys have found that 54% of young women believe that abortion should be without restriction. For further information, click [here](#).

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