

Cardinal backs bill fixing health reform law on abortion, conscience

WASHINGTON - A bipartisan bill before the House of Representatives would bring the new health reform law "into line with policies on abortion and conscience rights that have long prevailed in other federal health programs," said the head of the U.S. bishops' Committee on Pro-Life Activities.

In a May 20 letter to House members, Cardinal Daniel N. DiNardo of Galveston-Houston urged passage of H.R. 5111, legislation proposed by Reps. Joseph Pitts, R-Pa., and Dan Lipinski, D-Ill., and co-sponsored by 91 other House members.

"Efforts to ensure that our health care system serves the life, health and conscience of all will be a legislative goal of the Catholic bishops in the months to come," Cardinal DiNardo said, adding that the Pitts-Lipinski proposal makes "a significant contribution to this important task."

The cardinal warned, however, that if "these genuine problems are not addressed in their own right, they will be taken up and used as ammunition by those who favor repealing (the health reform law) outright, which would eliminate the positive as well as negative aspects of the new law."

Cardinal DiNardo said the Patient Protection and Affordable Care Act, signed into law by President Barack Obama March 23, was "an important step toward ensuring access to health coverage for all Americans" but was "profoundly flawed in its treatment of abortion, conscience rights and fairness to immigrants." He also said Obama's executive order signed March 24 "does not address, or claim to address, several of the problems."

He said passage of the health reform law now allows for "the task of keeping the federal government out of the abortion business" to be "pursued with less distraction from other issues and agendas."

Cardinal DiNardo said H.R. 5111, called the Protect Life Act, would address problems in the areas of abortion and conscience rights in five ways. It would:

- Ensure that all funds “authorized or appropriated” by the new health reform law would be covered by the Hyde amendment, which limits federal funding of abortions to cases of rape, incest and danger to the mother’s life.
- Prevent the use of federal funds to subsidize health plans that cover abortions beyond those permitted by the Hyde amendment, consistent with the policy already in place for Medicaid and Medicare, the Children’s Health Insurance Program and Federal Employees Health Benefits Program.
- Restore a conscience provision approved by the House last November to ensure that federal, state and local governmental entities receiving federal funds may not discriminate against health care providers who decline to participate in abortions.
- Stipulate that state laws restricting abortion or protecting conscience rights will not be pre-empted by the federal health reform law.
- Clarify language in the federal law on preserving other federal laws restricting abortion or abortion coverage and protecting conscience rights.

Cardinal DiNardo said Obama’s executive order “even reinforces problematic aspects of the act, such as its providing federal subsidies for health plans that cover abortions.”

“The executive order also claims to apply the Hyde amendment to the funds that PPACA authorizes and appropriates for community health centers, although the act clearly does not apply the Hyde amendment to these funds,” he said. “The question here is whether the president has the legal authority to do so, given a long line of federal court decisions construing similar statutes to fund abortion services unless Congress has explicitly stated otherwise.”

The cardinal said that “given this history, we should not gamble (the lives of the unborn) on a guess as to how a federal judge will respond to the first lawsuit seeking a federally funded abortion at a community health center. This serious problem requires a statutory solution.”

In introducing the Protect Life Act April 22, Pitts noted that the legislation signed by Obama lacked “critical safeguards” that had been approved earlier by the House.

“The new health care law is riddled with loopholes that allow taxpayer subsidies for coverage that includes abortion,” he said. “My new bill would extend long-standing policy by preventing federal dollars from being used to pay for abortion coverage.”

Pitts also praised the bipartisan co-sponsorship of his bill, saying, “I never want protecting life to be a partisan issue.”