

Congressional Forum on Conscience Rights

July 8 ,2016

Thank you for the opportunity to speak on this important issue. The stories shared today by the people around this table underscore the very reason I authored the Weldon amendment.

You can imagine my outrage to learn that this administration has *gutted my amendment and is allowing ongoing discrimination* in California.

Over a decade ago, I became aware of the Maryland NARAL Hospital Provider Project. This disturbing initiative was designed to force abortion into every hospital in Maryland.

In response to this and similar threats, I drafted my appropriations amendment. It is intended to bring a stop to the abortion industry crusade to force this gruesome procedure into every aspect of society.

Recognizing that the abortion lobby's relentless campaign knows no limits, we drafted the amendment to cover a wide universe of entities. Nurses, doctors, hospitals, even health plans themselves are covered entities under my amendment.

Covering individual health plans ensures that insurance companies that are ambivalent about abortion can still offer plans that exclude abortion to meet the needs of purchasers.

We never limited the protection to those with religious, moral or conscience objections. In fact, in my experience as a physician the majority of health professionals who claim to support Roe v Wade always say to me that they would never want to be affiliated with doing an abortion. They too would be protected if the administration would do their duty to enforce the law.

I authored this amendment to protect FREEDOM for people to *provide* health care free from abortion and FREEDOM for people to *access* health care and coverage free from the scourge of abortion.

FREEDOM for people like the pastors here today to purchase insurance plans that exclude abortion—a freedom that existed just two years ago before California took the draconian step of mandating abortion in ALL plans under the authority of the California Department of Managed Health Care.

The origins of the directive are as insidious as the directive itself. When the abortion lobby found out that Catholic Universities in California did not cover

abortion in their insurance plans, they sprang to action, initiating a meeting with the Department of Managed Health Care.

Less than a year later, the Department did the bidding of Planned Parenthood and the ACLU. They unilaterally inserted abortion into each and every insurance plan under their authority – even plans purchased by CHURCHES and Catholic Universities.

My amendment anticipated this very scenario by defining a health insurance plan as a protected health care entity. This allows an insurance company to offer multiple insurance plans – some with abortion coverage and some without to meet the conscience needs of their clients.

After the Department of Managed Health Care issued their directive, the plans excluding abortion were changed to include abortion. This is clear discrimination against the plan that excluded abortion, since such plan was no longer permitted to exist.

As I explained in my floor statement in 2004, “This is a continuation of the Hyde policy of conscience protection ... The right of conscience is fundamental to our American freedoms. We should guarantee this freedom by protecting all health care providers from being forced to perform, refer or pay for elective abortions.” Unfortunately, the current administration has even twisted this statement to suit their political agenda.

They take this reference to conscience protection and argue that it must mean that I meant to include a religious or moral test in my amendment. This is far from the truth.

There is no reasonable way to read my statement as an excuse to airdrop a religious or moral test into my amendment. The Hyde amendment stops ALL federal funding for elective abortion. Similarly, my amendment stops ALL discrimination against entities that do not provide, pay for, provide coverage of, or refer for abortion.

Both amendments protect conscience broadly by protecting the freedom of Americans to offer and access health care that does not include abortion. Neither limits it’s protections to cases where someone raises a religious or moral objection.

In the June 21, 2016 letter announcing their gutting of the Weldon amendment, the Office of Civil Rights (OCR) also feebly attempted to twist several more of my comments in their effort to ignore the plain reading of the text.

One begins to wonder, what’s next. How far will the abortion lobby and their allies in the administration go to force abortion into our health care system?

I am deeply concerned that this administration added words to my amendment where they do not exist and ignored other words clearly articulated in the text.

We simply can no longer rely on the administration to enforce the law and must offer a private right of action that allows the Weldon protections to be enforced by the Courts.