



PROTECTING LIFE AND RELIGIOUS LIBERTY IN HEALTH CARE

INTRODUCTION

Two bills ensuring the protection of life and defense of religious liberty, Assembly Bills 216 and 217, have been passed by the Wisconsin Assembly and await action by the Wisconsin Senate. These bills accomplish several, straightforward objectives:

- Assembly Bill 216 provides religious entities the same, minimal level of protection under Wisconsin law as provided for under the Patient Protection and Affordable Care Act (ACA or Obamacare).
- Assembly Bill 216 affirms that, as with federal law, funds held by public authorities cannot be used to subsidize the performance of abortions.
- Assembly Bill 217 prohibits abortion providers from knowingly performing sex-selective abortions.

DISCUSSION

Assembly Bill 216 (The Health Care Conscience Act). The 2009 state budget act created a provision requiring all health insurance policies sold in Wisconsin to provide contraceptive services coverage. Unlike most states with similar requirements, Wisconsin failed to provide any recognition of religious liberty and conscience. As a result, Catholic agencies that cannot self-insure are forced to purchase objectionable coverage.

Under the ACA, all health plans nationally must provide no-cost coverage of contraceptive services, but certain religious entities may obtain an exemption or accommodation from compliance. Assembly Bill 216 incorporates this federal ACA exemption into Wisconsin law.

Assembly Bill 216 also preserves Wisconsin Statutes s. 20.927, which prohibits public funds from being used to subsidize abortions. Much like the Federal Employee Health Benefits Program, AB 216 prohibits state employee health insurance from covering most abortion services. AB 216 simply aligns Wisconsin law with federal law.

Assembly Bill 217 (The Prenatal Nondiscrimination Act). This bill extends prohibitions on gender discrimination to abortion in Wisconsin. The law would greater protect unborn girls, who are the most frequent victims of sex-selective abortions.

CATHOLIC TEACHING

All humanity should have the opportunity to live freely, without fear of discrimination based on gender or faith. Forcing people to support that which violates their moral convictions and religious beliefs is not only unjust, it also violates the natural law and the First Amendment. Civil society is served best when rights are promoted and protected, especially for the unborn and those of faith, and when all may freely contribute to the common good.

MYTHS ABOUT ASSEMBLY BILLS 216 AND 217

Myth: Assembly Bills 216 and 217 represent another attempt to wage a “war on women.”

False. Assembly Bill 216 simply aligns state law with federal regulations exempting religious entities from contraceptive coverage requirements, and mimics the law regarding abortion coverage for federal employees. Assembly Bill 217 prohibits gender discrimination, ensuring that abortion does not limit the birth of females in Wisconsin, and protects women from the moment of their existence.

Myth: These bills involve issues that are not a high priority for Wisconsin.

False. Protecting human life and the free exercise of religion are high priorities. The passage of these bills does not hinder other legislative action, such as fostering job creation and fiscal growth.

Myth: Assembly Bill 216 will abolish contraceptive coverage for all women in Wisconsin.

False. As one of 28 states that require contraceptive coverage in insurance plans, Wisconsin will continue to require coverage should AB 216 become law. However, it will join the 20 of those 28 states that offer some form of exemption from the requirement, including 19 which recognize religious or moral objections. Nor do these bills prohibit the sale of birth control in Wisconsin, or affect contraceptive coverage for certain employees, including state employees.

Myth: AB 216 will prompt religious employers to investigate a woman’s medical health history.

False. As always, it is insurance companies that are responsible for determining whether a procedure is covered. A health care provider diagnoses the patient, prescribes treatment, and makes a record. The insurer reviews the record as necessary to determine coverage.

Myth: Under an AB 216 exemption, religious entities cannot provide coverage for contraceptives even when prescribed for non-contraceptive treatment.

False. Assembly Bill 216 was amended to clarify that exempt employers can cover contraceptives when medically necessary to treat conditions unrelated to preventing pregnancy.

WCC POSITION

The WCC supports Assembly Bills 216 and 217. As Catholics, we want to be able to serve others, especially the most vulnerable, and do so without violating our principles. These bills fulfill an essential role of government, which is to protect life and defend religious freedom.

ACTION REQUESTED

Please urge Senators to call for a vote on, and pass, Assembly Bills 216 and 217. Tell them:

- Government should protect human life and religious liberty, not limit it.
- The measures in AB 216 align Wisconsin law with federal law.
- AB 217 affirms that dignity for women begins in the womb.

For more information, please contact Kim Wadas at 608-257-0004.

To find contact information for your State Representative or Senator, visit the Wisconsin State Legislature website at <http://legis.wisconsin.gov> and click on “Who Represents Me,” or call the State Legislative Hotline, 1-800-362-9472.