



# Monday *MONITOR*

Monday, March 30, 2010

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## ABORTION RESTRICTION BILL PASSES IN HOUSE

**HB 1327 & 2000 (Davis, R-19 & Pratt, R-55)**, one of the many versions of the **2010 Abortion Restriction** bill, was third read and passed on Tuesday 3.30. Among other things, this bill would:

- Prevent a woman from getting the required counseling from her own private or preferred physician by mandating she meet with "the physician who is to perform or induce the abortion" at least 24 hours before the procedure to conduct the informed consent process. This is a change from current law in which "a treating physician" can conduct the informed consent process. It could also add days or weeks to the wait for the procedure if the physician is only scheduled one day per week;
- Require abortion providers to use brochures and videos developed by state bureaucrats during the informed consent process rather than information developed by trusted medical organizations like the American College of Obstetrics and Gynecology or the American Medical Association;
- Create the new crime of 'coercion of an abortion' whether or not the woman actually seeks and obtains an abortion;
- Put the state in-between parents and teens by requiring the doctor to report teens under 18 to the prosecuting attorney if they seek an abortion, regardless of whether they actually obtain it, regardless of the fact that they have written permission from the parent, and regardless of the fact that doctors and nurses are already mandated reporters if abuse is suspected;
- Require posting of signs in abortion clinics that carry false promises of state-backed assistance in carrying a child to term and caring for that child once born, including health care, housing, transportation, food, clothing, education, and job training.

The bill now goes to the Senate where it should be soundly rejected. HB1327 & 2000 is bad policy that simply continues the use of abortion as a political football.

## "SENATOR BRAY, YOU ARE A TRUE PATRIOT!"

During the day-long **SJR25 (Cunningham, R-7)** 'talk-a-thon' on the Senate floor, Sen. Jolie Justus praised Sen. Joan Bray for her amendment to protect Missouri women from restrictions to access to abortion and contraception offered under the Resolution's title of 'prohibiting laws that interfere with freedom of choice in healthcare.' This is not, however, the intention of Sen. Cunningham's resolution; rather her goal is to opt Missourians out of receiving healthcare coverage under the newly passed Federal *Patient Protection and Affordable Care Act* that was signed into law March 23<sup>rd</sup>.

Senator Bray's amendment reads: "**The federal government shall make no law infringing on a woman's right to make reproductive decisions that impact her health and safety, including, but not limited to, her choice to have an abortion and her choice to utilize any means of contraception whatsoever.**" The amendment failed 5 to 28.

After amendments were offered—and defeated on party line votes—to expand the freedom of veterans, rural citizens, and children under 18 to choose quality healthcare similar to that enjoyed by state employees and elected officials, Senator Callahan offered the following amendment: "So that no woman feels compelled to abort her unborn child, the federal government shall make no law that interferes with or limits the amount of coverage to which one is entitled to receive with regard to prenatal care and shall ensure that all pregnant women have access to the same, or substantially the same, level of prenatal care afforded to state employees and members of the general assembly at no cost to the woman."

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**MORE ADVOCATES COMING TO THE CAPITOL SOON!!**  
**Final Pro-Choice Coalition Lobby Day—Wednesday, April 28, 2010**

### ***'True Patriot' continued...***

The resolution was eventually laid over with Senator Callahan's amendment pending, but not before a lengthy discussion between Sens. Schmitt and Cunningham citing the right to privacy—as outlined in Roe v. Wade and long denied by anti-abortion politicians—as a reason that individuals should not be 'forced' to receive healthcare and divulge personal medical information to providers. *[Editors note: perhaps these same legislators should reconsider their support for forcing the physician to ask a woman seeking an abortion in Missouri why she is seeking an abortion—HB1546 (Harris, D-110) and SB792 (Dempsey, R-23)—and then reporting that reason to the state.]*

The healthcare Missourians may be 'forced' to receive through healthcare reform will improve the lives of hundreds of thousands of Missourians. The law will: prohibit private insurance companies from turning down individuals because of pre-existing medical conditions or rescinding policies; stop insurance companies from charging higher premiums because of pre-existing conditions, gender, or occupation; prohibit annual or lifetime limits on coverage and protect consumers with annual out of pocket spending caps; strengthen oversight of insurance premium rates and rate increases; and, allow sales of insurance across state lines, as long as companies comply with minimum requirements created by states participating in compacts authorizing such sales. The law does not change current law prohibiting Federal funds from paying for abortions except in cases of rape, incest, or the danger to the life of the woman.

If Missouri delays reform, as this Resolution seeks to do: 128,000 more Missourians will lose health insurance by 2019; 862,000 Missourians will lack health insurance by 2019; the average Missourian's family insurance premium will increase by \$8,646 by 2019; and, Missouri's small businesses will pay \$3.3 billion more for health care premiums by 2018, stifling innovation and job growth.

### **MARCH MADNESS EXEC-O-RAMA IN CHILDREN & FAMILIES COMMITTEE: TECHNICAL FOUL?**

On March 18, committee members received a Substitute of **HB 1238 (Davis, Abortion Restrictions)** that included **HB 1236 (Davis—Physician Intimidation)**, **HB 1365 (Emery—Pharmacy Denial)** & **HB 1546 (Harris—Even More Reporting Requirements)**. After pro-choice members prepared more than 20 amendments, Rep. Davis distributed yet another Substitute Tuesday night that no longer included HB 1236. Finally, a version of HB 1238 that included HB 1365 and HB 1546 was voted out 7-4 and referred to the Rules Committee. In addition, HB 1365 and HB 1546 were individually approved, but not referred to Rules.

### **ABORTION INSURANCE BAN**

On Monday afternoon, barely 12 hours after healthcare reform passed in Washington, DC, **SB 747 (Rupp, R-02)**, the Abortion Insurance Ban, was heard and approved in Senate Small Business and Insurance Committee. The bill was debated on the Senate floor for about an hour and laid over on Monday (3.29) afternoon. Per David Lieb, AP correspondent (3.22.10):

*'(The) legislation would ban any health insurance exchange from offering policies covering elective abortions—even if women are willing to pay an extra premium for the coverage. [...] (it) would impose an even stricter standard on government-administered insurance exchanges than already exists in the private marketplace. [...] Missouri's abortion-insurance law was enacted in 1983 and upheld by a federal appeals court in 1992. In addition to allowing states to ban abortion coverage in health insurance exchanges, the federal bill attempts to separate taxpayer funds from private premiums that would pay for abortion coverage. No health plans would be required to offer coverage for abortion. But if they do, beneficiaries would have to pay for it separately, and those funds would have to be kept in a separate account from taxpayer money.'*

While it is rare for Missouri women to be able to purchase an abortion insurance rider—and since women typically do not plan for an unintended pregnancy or an abortion—for women covered through new health insurance exchanges, the Missouri legislation leaves them out cold. **HB 1725 (Pollock R, 146)**, a companion bill in the House, was scheduled to be heard in Children and Families on Wednesday but since the exec session took so long (see story above), time ran out. The hearing has been rescheduled to this Wednesday.

### **OTHER MOVING BILLS**

**HB1375 (Cooper, R-155)**, Expedited Partner Therapy, third read and passed on Monday (3.29) evening. **SB627 (Justus, D-10)**, Cervical Cancer Immunization, remains on Senate 3<sup>rd</sup> Reading Calendar but languishing in Fiscal Oversight. **SB793 (Mayer, R-25)** and **SB792/793 (Dempsey, R-23)**, Abortion Restriction and Reporting, are on the Senate Informal Calendar and could come up for debate at any time.

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