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National Right to Life: This shows the law allows abortion funding

In New Rule Published Today, Obama Administration Backs Off Funding Elective Abortions in High-Risk Insurance Program -- But Vows This is “Not a Precedent” for Decisions on Future Health Programs

WASHINGTON (July 29, 2010) – The Obama Administration, caught in a spotlight of publicity generated by mid-July releases from the National Right to Life Committee (NRLC), today issued a formal regulation that will prevent federal funding of elective abortions in just one of the new programs created by the health care bill signed into law by President Obama on March 23.

At issue is the Pre-Existing Condition Insurance Plan (PCIP), also known as the “high-risk pool” program, which is one of many programs created by the Patient Protection and Affordable Care Act (PPACA). The high-risk pool program is completely federally funded (\$5 billion), and may cover up to 400,000 people when fully implemented.

“Without blinking, the Obama Administration had approved high-risk pool plans submitted by at least three states that would have funded virtually all abortions – until NRLC raised the alarms starting on July 13,” said NRLC Legislative Director Douglas Johnson. “In the regulation issued today, the Administration tells states that elective abortions may not be covered in the high-risk pool program – but simultaneously, the head of the White House Office of Health Reform, Nancy-Ann DeParle, issued a statement on the White House blog explaining that this decision ‘is not a precedent for other programs or policies given the unique, temporary nature of the program . . .’”

“This entire episode demonstrates what National Right to Life said in March – there is no language in the new health care law, and no language in Obama’s politically contrived March 24 executive order, that effectively prevents federal subsidies for abortion on demand,” Johnson said. “This means that unless Congress repeals the health care law or performs major corrective surgery on it, there will be years of battles, as each new program is implemented, over how elective abortion will be covered – and the White House is suggesting that today’s policy will not necessarily be applied when implementing the other programs, some of which will cover far larger populations.”

“Lawmakers who voted for the gravely flawed bill must be held accountable, because we

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warned them that it left numerous doors open for federal subsidies for abortion,” Johnson said.

On July 23, the nonpartisan Congressional Research Service (CRS) issued a report confirming that neither the PPACA (the health care law signed by Obama), nor the March 24 executive order on abortion, nor the longstanding Hyde Amendment, prevent the use of funds in the new high-risk pool program from being used to cover all abortions, but added that the law does give the Secretary of HHS authority to impose “any other requirements determined appropriate by the Secretary” with respect to the high-risk pool program. The CRS report is posted here:
<http://www.nrlc.org/AHC/CRSReportAbortionandHighRiskPools.pdf>

In a July 22 report, www.FactCheck.org found that NRLC’s initial July 13 warning, which focused initially on abortion coverage in the HHS-approved plan submitted by Pennsylvania, was well founded. “It would be easy to miss the fact that Pennsylvania’s official solicitation called for coverage of all state-legal abortions,” FactCheck.org observed. The FactCheck.org report is posted here:
<http://www.factcheck.org/2010/07/taxpayer-funded-abortions-in-high-risk-pools/>

On July 14, the Associated Press confirmed an NRLC report that New Mexico was enrolling people in the new program with a prospectus that explicitly covered “elective abortions.” On July 16, NRLC confirmed that Maryland was also signing up enrollees based on a document that pointed to abortion coverage.

Some pro-abortion advocacy groups, and some members of Congress have suggested that the Administration should allow the new high-risk pool program to pay for abortions with “private funds.” NRLC’s Johnson commented, “It is a political scam to suggest that a federal program can pay for abortions, or anything else, with ‘private funds.’ When a federal program pays for abortions, that is federal funding of abortion. To claim otherwise would be particularly absurd with respect to the high-risk pool program, since ‘the program is entirely funded by the federal government,’ as Nancy-Ann DeParle, head of the White House Office of Health Reform, noted in her statement posted on the White House blog today. Any funds collected from enrollees become federal funds once the government has them, and when they are spent, that is federal spending.”

The National Right to Life Committee (NRLC) is the nationwide federation of nonpartisan right-to-life organizations, with affiliates in all 50 states, comprised of about 3,000 local affiliated organizations. To arrange an interview with NRLC Legislative Director Douglas Johnson or Senior Legislative Counsel Susan T. Muskett, J.D, please call (202) 626-8820 or (202) 626-8825, or send e-mail to mediarelations@nrlc.org and legfederal@aol.com.