



## United States Conference of Catholic Bishops

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November 20, 2009

United States Senate  
Washington, DC 20510

Dear Senator:

On behalf of the United States Conference of Catholic Bishops (USCCB), we strongly urge the Senate to incorporate essential changes to the Senate's health care reform bill to ensure that needed health care reform legislation truly protects the life, dignity, consciences and health of all. We especially urge the Senate to act as the House has in the following respects:

- keep in place current federal law on abortion funding and conscience protections on abortion;
- protect the access to health care that immigrants currently have and remove current barriers to access; and
- include strong provisions for adequate affordability and coverage standards.

The Catholic Bishops of the United States have long supported adequate and affordable health care for all. As pastors and teachers, we believe genuine health care reform must protect human life and dignity, not threaten them, especially for the most voiceless and vulnerable. We believe health care legislation must respect the consciences of providers, taxpayers, and others, not violate them. We believe universal coverage should be truly universal, not deny health care to those in need because of their condition, age, where they come from or when they arrive here. Providing affordable and accessible health care that clearly reflects these fundamental principles is a public good, moral imperative and urgent national priority.

Sadly, the legislative proposal recently unveiled in the Senate does not meet these moral criteria. Specifically, it violates the longstanding federal policy against the use of federal funds for elective abortions and health plans that include such abortions - a policy upheld in all health programs covered by the Hyde Amendment, the Children's Health Insurance Program, the Federal Employee Health Benefits Program - and now in the House-passed "Affordable Health Care for America Act." We believe legislation that violates this moral principle is not true health care reform and must be amended to reflect it. If that fails, the current legislation should be opposed.

### **Protecting Human Life and Conscience**

Specifically, we urge you to include the House-passed provision that keeps in place the longstanding and widely supported federal policy against government funding of elective abortions or plans that include elective abortions.

In the aftermath of the overwhelming and bipartisan House vote for the Stupak-Smith-Ellsworth-Kaptur-Dahlkemper-Pitts Amendment, there has been much misunderstanding of what it does and does not do. This amendment does not change the current situation in our country: Abortion is legal and available, but no federal dollars can be used to pay for elective abortions or plans that include elective abortions. This provision simply keeps in place existing policy and allows Congress to honor the President's commitment that "no federal dollars will be used to fund abortions." The amendment does not restrict abortion, or prevent people from buying insurance covering abortion with their own funds. It

simply ensures that where federal funds are involved, people are not required to pay for other people's abortions.

Thus far, the pending Senate bill does *not* live up to President Obama's commitment of barring the use of federal dollars for abortion and maintaining current conscience laws. The bill provides federal funding for plans that cover abortion, and creates an unprecedented mandatory "abortion surcharge" in such plans that will require pro-life purchasers to pay directly and explicitly for other people's abortions. Its version of a public health plan (the "community health insurance plan") allows the Secretary of HHS to mandate coverage of unlimited abortions nationwide, and also allows each state to mandate such abortion coverage for all state residents taking part in this federal program even if the Secretary does not do so. The bill seriously weakens the current nondiscrimination policy protecting providers who decline involvement in abortion, providing stronger protection for facilities that perform and promote abortion than for those which do not. The legislation requires each region of the insurance exchange to include at least one health plan with unlimited abortion, contrary to the policy of all other federal health programs. Finally, critically important conscience protections on issues beyond abortion have yet to be included in the bill. To take just one example, the bill fails to ensure that even religious institutions would retain the freedom to offer their own employees health insurance coverage that conforms to the institution's teaching. On these various issues the new Senate bill is an enormous disappointment, creating new and completely unacceptable federal policy that endangers human life and rights of conscience.

#### **Immigrants and Health Care Coverage**

We support the inclusion of all immigrants, regardless of status, in the insurance exchange. The Senate legislation forbids undocumented immigrants from purchasing health-care coverage in the exchange. Undocumented immigrants should not be barred from purchasing a health insurance plan with their own money. Without such access, many immigrant families would be unable to receive primary care and be compelled to rely on emergency room care. This would harm not only immigrants and their families, but also the general public health. Moreover, the financial burden on the American public would be higher, as Americans would pay for uncompensated medical care through the federal budget or higher insurance rates.

We also support the removal of the five-year ban on legal immigrants accessing federal health benefit programs, such as Medicaid, the Children's Health Insurance Program, and Medicare. Legal immigrants, who work and pay taxes, should have access to such programs if needed. Removing the ban would help ensure that legal immigrants, who were widely praised in past immigration debates for their many contributions and for playing by the rules, will still have access to health care.

#### **Accessible and Affordable Health Care**

The Catholic bishops have advocated for decades for affordable and accessible health care for all, especially the poor and marginalized. The Senate bill makes great progress in covering people in our nation. However, the Senate bill would still leave over 24 million people in our nation without health insurance. This is not acceptable.

The bishops support the expansion of Medicaid eligibility for people living at 133 percent or lower of the federal poverty level. The bill does not burden states with excessive Medicaid matching rates. The affordability credits will help lower-income families purchase insurance coverage through the Health Insurance Exchange. However, the Senate bill would still leave low-income families earning between 133 and 250 percent of the federal poverty level financially vulnerable to health care costs. Overall, the average subsidy provided for in the Senate bill is \$1,300 less than the average subsidy in the

House bill. Improvements to the bill should be made so that low-income families have reasonable out of pocket expense for health care.

Immediate reforms are included in the bill that should be helpful in providing relief to the uninsured and underinsured. Additionally, reforms that will strengthen families and protect low-income and vulnerable people such as eliminating denial of coverage based on pre-existing conditions including pregnancy; eliminating life time caps; offering long-term disability services; and extending dependent coverage to uninsured young adults -- are significant steps toward genuine health care reform. We urge the Senate to maintain these provisions.

These moral criteria and policy objectives are not marginal issues or special interest concerns. They are the questions at the heart of the health care debate: Whose lives and health are to be protected and whose are not? Will the federal government, for the first time in decades, require people to pay for other peoples' abortions? Will immigrants be worse off as a result of health care reform? At their core, these health care choices are not just political, technical, or economic, but also moral decisions. This legislation is about life and death, who can take their children to the doctor and who cannot, who can afford decent health care coverage and who are left to fend for themselves.

Our appeal for health care legislation that truly protects the life, dignity, health and consciences of all reflects the unique perspectives and experience of the Catholic community. Our hospitals, clinics, and long-term care facilities provide quality health care to millions. Our dioceses, institutions, and ministries purchase health care for many thousands of employees and their families. Our emergency rooms, shelters, clinics, and charities pick up the pieces of a failing health care system. Our Catholic moral tradition teaches that health care is a basic human right, essential to protecting human life and dignity.

For many months, our Bishops' conference has been working with members of Congress, the Administration and others to fashion health care reform legislation that truly protects the life, dignity, health and consciences of all. Our message has been clear and consistent throughout. We hope and pray that the Congress and the country will come together around genuine reform.

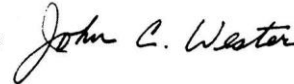
Sincerely,



Bishop William F. Murphy Diocese  
of Rockville Centre  
Chairman  
Committee on Domestic Justice  
and Human Development



Cardinal Daniel DiNardo  
Archdiocese of Galveston-Houston  
Chairman  
Committee on Pro-life Activities



Bishop John Wester  
Diocese of Salt Lake City  
Chairman  
Committee on Migration