



Bioethics Public Policy Report August 8, 2023

State by State

- [Illinois](#) Governor JB Pritzker (D) has signed the so-called Deceptive Practices of Limited Services Pregnancy Centers Act, a law that seeks to block pro-life speech outside of abortion centers. It also impairs the freedom of pregnancy help centers by scrutinizing them for “deceptive practices,” “misrepresentation,” and “false pretense.” The Thomas More Society, which has filed a lawsuit against the act, describes the new law as “a blatant attempt to chill and silence pro-life speech under the guise of ‘consumer protection.’” The text of the law is available [here](#).
 - [Update](#): US District Judge Iain Johnson has issued an [injunction](#) preventing the enforcement of Illinois’ Deceptive Practices of Limited Services Pregnancy Centers Act. In his ruling, Johnson stated, “The bill is painfully and blatantly a violation of the First Amendment.”
- [Indiana’s](#) new abortion law went into effect August 1st. The new law, which was upheld as constitutional by the state Supreme Court, prohibits abortion at any point in pregnancy except in cases of rape and incest up to 10 weeks post-fertilization. A woman may also seek an abortion when it threatens her life or if her child has a fatal abnormality for up to 20 weeks post-fertilization. The law requires parental consent for minor seeking an abortion (unless the minor is impregnated by their parent or guardian) and imposes penalties on doctors, including putting their medical licenses in jeopardy, if they perform abortions in violation of the law.
- [Texas](#) State District Judge Jessica Mangrum ruled that the state’s abortion ban was too restrictive for women who experience serious pregnancy complications. However, the state Attorney General’s office appealed the decision to the Texas Supreme Court which then blocked Judge Mangram’s order. Spokesperson Paige Willey stated in an email, “The trial court’s injunction is ineffective, and the status quo remains in effect.” For further information, click [here](#).
- [Oklahoma](#) Governor Kevin Stitt (R) has issued an executive order endorsing the [Woman’s Bill of Rights](#). Among other points, the document declares that “a person’s ‘sex’ is defined as his or her biological sex (either male or female) at birth.” It also defines *female* as “an individual whose biological reproductive system is developed to produce ova” and a *male* as “an individual whose biological reproductive system is developed to fertilize the ova of a female” In signing the order, Stitt stated: “I am taking decisive executive action to ensure the true definition of the word woman, meaning a biological woman, is what guides the state as we reaffirm our commitment to ensuring the safety, dignity, and sanctity of women across Oklahoma. As long as I’m governor, we will continue to protect women and ensure women-only spaces are reserved solely for biological women.”

Federal Courts

- The Sixth Circuit Court of Appeals (Cincinnati) has [ruled](#) in favor of Kentucky SB 150, a law that prohibits so-called gender transitioning of children, allowing it to remain in effect while legal challenges against it move forward. Earlier this year Governor Andy Beshear's (D) had vetoed the law but the state legislature easily overrode his veto. Last month, the Sixth Circuit also allowed a similar law in Tennessee to remain in effect pending litigation.
- The US District Court for the Eastern District of Texas (Tyler) has [ordered](#) the Biden administration to pay \$65,000 in attorneys' fees for violating regulatory laws in denying women the option of fertility awareness-based methods (FABM) of family planning under the Affordable Care Act. The administration's action essentially left women with coverage for only contraceptive and abortifacient drugs and devices. The court's ruling is available [here](#).

National

- The American Academy of Pediatrics (AAP) Board of Directors has [voted](#) to reaffirm its highly controversial 2018 policy statement that supports so-called gender transitioning of children while at the same time calling for more research. AAP CEO and Executive Director Mark Del Monte, stated that organization is confident the principles presented in the original policy, "Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents" ([link](#)), remain in the best interest of children and that the AAP will continue to "ensure young people get the reproductive and gender-affirming care they need and are seen, heard and valued as they are." However, the Board also "authorized development of an expanded set of guidance for pediatricians based on a systematic review of the evidence" and stated that a future updated policy statement, including companion clinical and technical reports, will reflect this review. For additional perspective on the AAP's actions, click [here](#) and [here](#).
- A recent Gallup [poll](#) has found that 7.2 percent of American adults self-identify as lesbian, gay, bisexual, transgender, or gender questioning. The figure was highest for Gen Z at 19.7 percent followed Millennials at 11.2 percent. Gen X, Baby Boomers, and the Silent Generation all had much lower numbers. Of the overall 7.2 percent figure, a majority (4.2) self-reported as bisexual.

Conscience/Religious Liberty

- As the result of a lawsuit filed by nurse Stephanie Carter, the US Veteran's Administration (VA) will [implement](#) a nationwide religious accommodation process for employees who object to participating in abortion. Carter is employed at the Olin E. Teague Veteran's Center in Temple, Texas. Danielle Runyan, Senior Counsel at First Liberty which represented Carter, maintained: 'We're pleased that the VA implemented a nationwide policy to protect the religious liberty rights of all VA employees. Stephanie Carter is living proudly by her faith and should not be forced to choose between her faith and her career. Because of her courage, every VA employee in the nation can seek a religious accommodation from participating in a procedure they find unconscionable.'

International

- A [Canadian](#) male who identifies as a woman has applied for euthanasia due to the pain and anxiety he experiences as a result of the so-called vagina he had constructed as part of his effort to transition his sex. The male underwent the procedure in 2009, but quickly developed complications and regretted it. He claims to feel constant pressure, pain, and discomfort, and maintains doctors are more interested in determining which pronouns to use rather than alleviating the pain. At least one doctor has refused the euthanasia request stating, “Based on current clinical information and consultations [the patient] does not meet current MAiD (so-called medical aid in dying) criteria.”

Latest “Bioethics on Air” Podcast

- Episode 118: [‘State of the Union’ on Biomedical Research](#). Fr. Tad Pacholczyk joins Joe Zalot to update listeners on the state of—and ethical implications of—contemporary issues in biomedical research. Topics include stem cell research, 3-parent embryos, and synthetic embryos.

Of Note

- “I believe the greatest threat we face is not the strength of those who oppose us. It’s the inadequacy of our beliefs, the danger of our own indifference, believing the lie that we can’t make a difference or we’re just one voice ... We cannot be afraid of the truth when it comes to the public square”—Presidential candidate [Mike Pence](#), speaking at the Napa Institute.
- “I hope everyone is clear now on what they mean by ‘reproductive healthcare. No, it never means any real, life-affirming medical service. To the Biden administration, ‘reproductive healthcare’ means abortions, and contraception, and abortion pills, and nothing else.”—CatholicVote Vice President [Joshua Mercer](#) commenting on the Biden administration’s illegal refusal to cover fertility awareness based methods of family planning through the Affordable Care Act.

Sharing the News: If you have public policy news that you would like to share with the NCBC, or if you have colleagues who would like to receive the Bioethics Public Policy Report, please contact Joe Zalot at 215-871-2014 or jzalot@ncbcenter.org. Previous editions of this report are available through the [Public Policy](#) page of the NCBC website.

Sharing the Resources: If you enjoy receiving the Bioethics Public Policy Report and would like to support its continued publication, please consider making a [donation](#) to the NCBC.

The National Catholic Bioethics Center webpage, available at <http://www.ncbcenter.org/>, is a significant resource for bioethics information. NCBC bioethicists are also on-call for consultation twenty-four hours a day, seven days per week, at 215-877-2660.