

HB 2 -- HEALTH CARE

SPONSOR: Schroer

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Budget by a vote of 20 to 9. Voted "Do Pass" by the Committee on Rules-Legislative Oversight by a vote of 7 to 2.

Any federal act, law, executive order, administrative order, rule, or regulation shall not infringe on the right of the people of Missouri to:

- (1) Restrict public funds, public facilities, and public employees from being used to perform, induce, or assist in an abortion;
- (2) Encourage childbirth over abortion in the use of the state's public funds, public facilities, and public employees;
- (3) Defend the religious beliefs or moral convictions of any person who, or entity which, does not want to be forced to directly or indirectly fund or participate in abortion;
- (4) Prevent the state or its political subdivisions from being coerced, compelled, or commandeered by the federal government to enact, administer, or enforce a federal regulatory program that directly or indirectly funds abortion; and
- (5) Prohibit the federal government from commanding or conscripting public officials of the state or its political subdivisions to enforce a federal regulatory program that directly or indirectly funds abortion.

The bill makes it unlawful for any public funds to be expended to any abortion facility, or to any affiliate or associate of such abortion facility.

The bill removes a provision in current statute that allows any person entitled to MO HealthNet benefits to obtain benefits from any provider of services with which an agreement is in effect and which undertakes to provide the services, as authorized by the MO HealthNet division.

This bill creates provisions requiring the Department of Social Services or its divisions to suspend, revoke, or cancel any contract or provider agreement or refuse to enter into a new contract or provider agreement with any provider where it is determined that such provider is not qualified to perform the service or services required because such provider, or such provider's agent, servant, or employee acting under such provider's

authority, has:

- (1) A conviction related to the delivery of any item or service under Medicare or under any state health care program;
- (2) A conviction related to the neglect or abuse of a patient in connection with the delivery of any health care item or service;
- (3) A felony conviction related to health care fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct;
- (4) A felony conviction related to the unlawful manufacture, distribution, prescription, or dispensation of a controlled substance
- (5) A pattern of intentional discrimination in the delivery or nondelivery of any health care item or service based on the race, color, or national origin of recipients, or was founded by a person who supported eugenics as the solution for racial, political, and social problems and who advocated for the use of birth control for "the elimination of the unfit" and stopping "the reproduction of the unfit.
- (6) Been defined as an abortion facility, as defined in section 188.015, RSMo, or an affiliate or associate of such abortion facility.

If a taxpayer takes action to enforce the provisions of the bill, a court may order injunctive or other equitable relief, recovery of damages or other legal remedies, or both, as well as payment of reasonable attorney's fees, costs, and expenses of the taxpayer.

PROPONENTS: Supporters say that they don't want tax dollars paying for abortions. The federal government cannot tell the state what providers qualify for medicaid. Supporters believe this would not affect federal funding to the state.

Testifying for the bill were Representative Schroer; Campaign Life Missouri; Therese Sander; Don Hinkle, Missouri Baptist Convention; Missouri Right to Life; and Jennifer Gore.

OPPONENTS: Those who oppose the bill say that planned parenthood does more for women's health than abortions. Contraceptives are needed and birth control can be used to help many different things. This bill makes it harder for low income citizens to get medical assistance. This bill could cause the state to lose out on federal tax dollars.

Testifying against the bill were Advocates of Planned Parenthood of the St. Louis Region and Southwest Missouri; Susan Gibson; Naral Pro-Choice Missouri; Leilah Zahedi, MD; Jennifer Bernstein, National Council of Jewish Women, St. Louis; Michelle Trupiano, Missouri Family Health Council; American Civil Liberties Union of Missouri; Kennedy Moore; Ashley Alexander; Maggie Edmondson; Kelly Gorman; April Mickens Jolly, Planned Parenthood of the St. Louis Region; and Arnie C. Deinoff.