

Senate Finance Committee

Health Care Reform: Votes on Abortion Funding and Conscience Protection

Congress has focused on three health care reform bills—two in the Senate, one in the House. On September 16, 2009, Senate Finance Committee chairman Sen. Max Baucus (D-MT) released his chairman’s mark, America’s Healthy Future Act. Sens. Orrin Hatch (R-UT) and Michael Enzi (R-WY) submitted amendments on abortion funding and conscience rights to correct flaws in the chairman’s mark. However, during markup, the committee formally voted only on the two Hatch amendments of special interest.

Vote 1—Abortion Funding Prohibition: *On September 30, 2009, the committee rejected, 10-yes, 13-no, Hatch Amendment #C14 to restrict the use of federal funding to support abortion.* The chairman’s mark authorizes federal tax credit subsidies for private health benefits packages that cover elective abortion. Everyone purchasing such a package would be required to pay a surcharge to help pay for others’ abortions. This is contrary to longstanding federal policy, including the Federal Employees’ Health Benefits Program, where benefits packages with elective abortion may not receive federal support. Hatch Amendment #C14 prohibits federal funds authorized or appropriated in the mark from being used for abortion and the cost of plans that cover abortion, except to save the mother’s life, or in cases of rape or incest. Insurers wanting to offer broader abortion coverage may do so only in a supplemental policy funded solely by the private premiums of those who choose to purchase it.

Vote 2—Nondiscrimination on Abortion: *On September 30, 2009, the committee also rejected, 10-yes, 13-no, Hatch Amendment #C13 to protect conscience rights.* The chairman’s mark lacks a provision in current law that prevents government bodies receiving federal funds from discriminating against health care providers who decline involvement in abortion (the Weldon Amendment). Hatch Amendment #C13 states that a federal agency or program, or state or local government receiving federal funds under this Act, may not discriminate against individual or institutional health care providers that decline to perform, refer for, or pay for abortion. Identical language has already been approved as part of the House Energy and Commerce Committee’s version of the health care reform bill, H.R. 3200.

Key: X=Pro-life, O=Pro- abortion

Democrats (13)

	<u>1</u>	<u>2</u>
Max Baucus, MT (Chairman)	O	O
John D. Rockefeller IV, WV	O	O
Kent Conrad, ND	X	X
Jeff Bingaman, NM	O	O
John F. Kerry, MA	O	O
Blanche L. Lincoln, AR	O	O
Ron Wyden, OR	O	O
Charles E. Schumer, NY	O	O
Debbie Stabenow, MI	O	O
Maria Cantwell, WA	O	O
Bill Nelson, FL	O	O
Robert Menendez, NJ	O	O
Thomas Carper, DE	O	O

Republicans (10)

	<u>1</u>	<u>2</u>
Chuck Grassley, IA (Ranking Member)	X	X
Orrin G. Hatch, UT	X	X
Olympia J. Snowe, ME	O	O
Jon Kyl, AZ	X	X
Jim Bunning, KY	X	X
Mike Crapo, ID	X	X
Pat Roberts, KS	X	X
John Ensign, NV	X	X
Mike Enzi, WY	X	X
John Cornyn, TX	X	X