

HCS HB 1854 -- HEALTH CARE

SPONSOR: Schroer

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Government Oversight by a vote of 7 to 2. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 4.

The following is a summary of the House Committee Substitute for HB 1854.

This bill provides no federal act, law, executive order, administrative order, rule, or regulation may infringe on the right of state citizens to restrict public funds, facilities, and employees from:

- (1) Being used to perform, induce, or assist in abortions;
- (2) Encouraging childbirth over abortions in the use of public funds, facilities, and employees;
- (3) Defending the religious beliefs and moral convictions of those who do not wish to be forced to participate directly or indirectly in abortions;
- (4) Preventing the state, its political subdivisions, and public officials from being coerced or compelled by the federal government from administering or enforcing a federal regulatory program that funds abortions.

It shall be unlawful for public funds to be expended to any abortion facility and any affiliate or associate of such facility.

If a taxpayer takes action to enforce the above 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.

Any person entitled to MO HealthNet benefits is able to obtain benefits from any provider of services, which is not excluded or disqualified as a provider under any provision of law, with which an agreement is in effect and which undertakes to provide the services, as authorized by the MO HealthNet Division.

This bill mandates that the Department of Health and Senior Services suspend, revoke, cancel, or refuse to enter into any contract or provider agreement when it is determined that a

provider is not qualified to perform under the contract as required. The bill provides such conditions for determining that a provider is not qualified to perform the service or services required, including the conviction of crimes related to fraud and patient care, patterns of discrimination, and that the provider is an abortion facility.

This bill is similar to HB 2 (2021 First Extraordinary Session).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

**PROPONENTS:** Supporters say that this bill will prevent state funds from financing abortion. This bill will establish the Hyde amendment on a state level in case federal government repeals the amendment on the federal level. Taxpayers should not pay for anyone's abortion.

Testifying for the bill were Representative Schroer; Campaign Life Missouri; Missouri Catholic Conference; and the Missouri Right To Life.

**OPPONENTS:** Those who oppose the bill say that the bill runs the risk of Missouri missing out on federal funds. The bill will cause unintended consequences that may cause disparate impact in other areas of health care, including limiting access to medical services for Missourians with low income or no insurance. The bill is redundant as tax dollars are not paying for abortions in Missouri.

Testifying against the bill were Susan Gibson; Chloe Owens, Missouri Health Care for All; Sheryl Foster; Tara Reuter Johnson; Michelle Trupiano, Missouri Family Health Council; Pro Choice Missouri; Planned Parenthood Great Plains; Advocates of Planned Parenthood of the St Louis Region & Southwest Missouri; and Arnie Dienoff.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.