



## **Opposition Statement SB217**

Health Insurance – Conformity with Federal Law  
Deborah Brocato, Legislative Consultant  
Maryland Right to Life

### **We Oppose SB217**

On behalf of our 200,000 followers across the state, we respectfully object to SB217. This bill will use taxpayer funds to further subsidize the abortion industry unless an amendment is added that explicitly excludes abortion facilities from the application of this bill. While this bill is meant to conform with the federal No Surprises Act, “freestanding medical facility” is an addition to the federal act which applies to hospitals with emergency departments. Abortion facilities are a type of “freestanding medical facility” but are not emergency facilities. In addition, the bill expands the classification of an emergency medical condition outside of diagnosis codes (page 7, lines 19-20). Pregnancy is not ordinarily an emergency. When pregnancy is an emergency, as in the case of ectopic pregnancies, miscarriages or a type of high risk pregnancy, the mother is treated at a hospital not an abortion facility.

**Abortion is about revenue.** The state of Maryland forces taxpayers to subsidize the abortion industry through direct Maryland Medicaid reimbursements to abortion providers, through various state grants and contracts, through pass-through funding in various state programs and private health insurance providers. Taxpayers should not be forced to fund additional costs for the elective procedure of abortion.

**Americans oppose taxpayer funding of abortion.** Taxpayers should not be forced to fund elective abortions, which make up the vast majority of abortions committed in Maryland. The 2023 Marist poll shows that 60% of Americans, pro-life and pro-choice, oppose taxpayer funding of abortion. 81% of Americans favor public funds being prioritized for health and family planning services that save the lives of mothers and their children including programs for improving maternal health and birth and delivery outcomes, well baby care and parenting classes.



**Opposition Statement SB217, page 2 of 2**  
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**Funding restrictions are constitutional.** The Supreme Court of the United States, in *Dobbs v. Jackson Women’s Health* (2022), overturned *Roe v. Wade* (1973) and held that there is no right to abortion found in the Constitution of the United States. As early as 1980 the Supreme Court affirmed in *Harris v. McRae*, that *Roe* had created a limitation on government, not a government funding entitlement. The Court ruled that the government may distinguish between abortion and other procedures in funding decisions -- noting that “*no other procedure involves the purposeful termination of a potential life*”, and held that there is “*no limitation on the authority of a State to make a value judgment favoring childbirth over abortion, and to implement that judgment by the allocation of public funds.*”

Maryland Right to Life urges the addition of an amendment to exclude any funding for this bill to be used for abortion purposes. Without an amendment, we ask that you oppose **SB217**.