

**Testimony of Mary-Louise Kurey**  
**Director of the Respect Life Office of the Archdiocese of Chicago**  
**On Behalf of the Catholic Conference of Illinois**  
**In Opposition to HB 2354**

My name is Mary-Louise Kurey. I serve as the Director of the Respect Life Office for the Archdiocese of Chicago. I am here today to represent the Catholic Conference of Illinois and urge you to vote “no” on HB 2354. This bill raises a broad range of far-reaching and serious concerns. Among other issues, this bill would:

**1. Repeal and prevent common-sense protective measures on abortion (Section 15(a)(3)).** House Bill 2354 declares abortion to be a “fundamental right” (Section 5), authorizing courts to apply strict scrutiny to any regulation on abortion, and establishes a blanket prohibition on any common sense measures restricting abortion. Specifically, the bill provides that “*the State or any municipality, political subdivision, or other governmental unit or agency shall not: ... (3) deny or interfere with a pregnant woman’s right to terminate a pregnancy...*” Because “interfere” is such a low standard, any regulation on abortion could be deemed interference. Among other common-sense measures that would be affected, this bill would:

- **Obviate the Parental Notification Act**
- **Nullify the Born-Alive Infant Protection Act**
- **Undermine the “Physician Only” Requirement in the Illinois Abortion Law.** Current Illinois law requires that abortions can be performed only by licensed physicians.

**2. Deny the rights of conscience of health care professionals and interfere with the operations of Catholic hospitals (Section 35).** HB 2354 would deny or otherwise seriously undermine the rights of conscience granted to health care professionals in Illinois. HB 2354 would:

- **Undermine the Health Care Right of Conscience Act** with respect to rights of conscience for health care workers on matters of reproductive services.
- **Compel health care professionals to provide reproductive services that violate their religious or personal conscience unless a number of burdensome and odious conditions are met.** The two worst requirements being:
  - (a) the requirement that the professional or his or her employer actually “assists the patient in obtaining” any of the patient’s chosen reproductive healthcare options “in a timely fashion,” which amounts to material cooperation and a **direct violation of conscience** (Section 35(a)(3)); and,
  - (b) empowering employers of medical professionals the right to determine whether or not that employee’s religious or moral beliefs constitute an “undue hardship” and if so an ability to fire that employee (Section 35(a)(4)).
- Catholic hospitals and health care providers would carry the obligation to provide patients with information about, and assisting them to obtain, abortions, morning after pills, and more. It is difficult to develop a provision that would more fundamentally strike at the core of the beliefs of the Catholic Church on these important human life issues.
- Our current laws forbid the state to intervene between the life of an unborn child and its mother, yet this legislation allows the state to intervene between a person and their God.

**3. Rescind local control on sex education in schools and mandate contraceptive sex education even in elementary schools (Sections 30 and 45).** The current Illinois school code allows parents greater discretion in the sex education program provided in their child’s school and encourages sexual abstinence until marriage. Sections 30 and 45 introduce wholesale changes to the current approach. Namely, the bill would:

- **Strike all reference in the Comprehensive Health Education Act (“CHEA”) to education about abstinence until marriage.**
- Establish that comprehensive sex education would be **mandatory for elementary schools as well as secondary schools, with no early age limit.**
- The major distinction between abstinence and comprehensive sex education is what it says about us as well as how each approach our youth. Abstinence education believes teens can and increasingly do, avoid sex, so the discussion empowers them to make the healthiest sexual decision - which is to abstain.
- A Zogby poll of 1,002 parents of children age 10-16 conducted last year shows most parents want their teens to be abstinent until they are married. Nine out of ten parents agree that being sexually abstinent is best for their child's health and future. Eight in ten strongly agree.

**4. Expand taxpayer funding of abortion and possibly require state health insurance to cover abortion (Section 20).** Section 20 would establish that “*the State shall ensure that individuals eligible for State Medicaid assistance, or other State medical assistance, receive financial assistance for reproductive healthcare at least to the same extent as other comparable services.*” As such, the bill establishes expanding taxpayer funding to abortion on demand, the morning after pill, and other procedures that will violate the consciences of many of those taxpayers.

**5. Establish a liability shield for abortion providers that harm pregnant women (Section 25).** Section 25 of the bill would establish broad immunity for abortion practitioners that engage in harmful conduct. Specifically, it provides that “*a qualified medical professional is not liable for civil damages or subject to criminal penalty relating to a pregnancy termination performed in good faith, in accordance with the medical professional’s good faith clinical judgment and accepted standards of medical practice.*” This provision would establish a shield to limit civil and criminal liability for any medical professional who has performed an abortion that has harmed a pregnant woman. Given the invasive nature of abortion procedures, it is clear that this provision does not favor the protection of women.

## **PUBLIC OPPOSITION**

House Bill 2354 is rightly compared to the federal Freedom of Choice Act (“FOCA”). The Respect Life Office has confirmed data that in the month of February 2009 alone, more than 37,000 people in Cook and Lake counties participated in a postcard campaign to oppose FOCA, mailing more than 110,000 postcards to their U.S. Senators and members of Congress. More postcards are being sent this month. A careful analysis of the language of HB 2354 reveals that this legislation will have an equivalent effect on the state level.

By establishing abortion as a “fundamental right” (Section 5) and prohibiting any kind of “interference” with this right (Section 15), HB 2354 wipes out common-sense restrictions on abortion such as physician-only requirements, restrictions on where abortions are performed, and parental notification laws, in addition to undermining health care rights of conscience and providing broad immunity for abortion practitioners. Certainly, there is strong opposition to such a sweeping measure in Illinois. Please oppose HB 2354.