



DAVID CRAIG

STATE SENATOR

Senate Committee on Insurance, Housing and Trade
Public Hearing, 13 December 2017
Senate Bill 81 & Assembly Bill 128
Senator David Craig, 28th Senate District

Chairman Lasee and Committee Members,

Thank you for hearing testimony on Senate Bill 81 and Assembly Bill 128 which prohibits the Group Insurance Board from contracting to cover abortion services using public tax dollars.

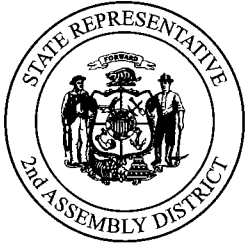
Under current law, the Group Insurance Board (GIB) offers health insurance coverage to eligible employees under the Wisconsin Retirement System, which include all state employees and state annuitants and may include local government employees if they participate in a GIB health insurance plan. This state insurance coverage currently pays for elective abortion services for public employees for any reason, at any stage of pregnancy.

SB 81/AB 128 would withdraw public funding for abortions and align our state with the federal government, which does not cover abortions for federal employees. By prohibiting the GIB from covering abortion services, we align the state not only with the federal law, but also with other state government programs. The legislature has already acted to remove the public funding of abortion in the state Medicaid program and insurance exchange via Obamacare.

Recent polling conducted by *Politico* and the Harvard School of Public Health showed a majority of Americans are opposed to using tax dollars to fund abortion services. Only 36% percent of Americans support the public funding of abortions with a vast majority siding with tenets of this bill.

In closing, this bill protects the lives of the unborn, respects the conscience of state residents, and protects taxpayers from future obligations to pay for abortions.

Thank you and I would be happy to answer any questions you may have on the bill.



ANDRÉ JACQUE

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Madison, WI 53708-8952

TO: Members of the Senate Committee on Insurance, Housing and Trade
FROM: Rep. André Jacque
DATE: December 13, 2017
RE: Senate Bill 81 and Assembly Bill 128

Chairman Lasee and committee members:

Thank you for the opportunity to join Sen. Craig and testify before you today as the Assembly author of AB 128 and SB 81. This legislation extends Wisconsin's longstanding prohibition on the use of public funds to pay for abortion to public health insurance plans, respecting the conscience of state residents by prohibiting the Group Insurance Board from contracting or paying for abortions unless a pregnancy falls within certain rare exceptions including rape, incest and life of the mother as provided in existing state statutes (Wis. Stats. 20.927). In so doing, Wisconsin will be consistent with its own longstanding prohibition on payments for abortion through Medicaid and its more recent prohibition that any state exchanges set up through Obamacare could not include abortion coverage.

In addition, the Federal government does not pay for abortions by Federal employees. Assembly Bill 128 provides equity so that taxpayers are not funding abortions for any group of people in Wisconsin. At least twenty-one states currently have laws banning elective abortions under public employees' insurance plans.

I'd like to close by noting that I was contacted by a healthcare professional and mutual constituent of Sen. Lasee's and mine just before the Assembly hearing on this legislation. He mentioned in his email that he was very appreciative of my efforts in bringing forth this legislation, and specifically, that "if HIPPA allowed [him] to, there are so many patient stories [he] could describe about how they had past abortions and how it's affected them through the rest of their life, struggling with anxiety, guilt and depression- which amplifies the pain they are presenting with."

Abortion is not healthcare.

Thank you for your consideration of AB 128 and SB 81.



WISCONSIN CATHOLIC CONFERENCE

TESTIMONY IN SUPPORT OF SENATE BILL 81 AND ASSEMBLY BILL 128: NO TAXPAYER FUNDING FOR ABORTION

Presented to the Senate Committee on Insurance, Housing and Trade

By Barbara Sella, Associate Director

December 13, 2017

On behalf of the Wisconsin Catholic Conference, I thank you for this opportunity to present testimony in support of Senate Bill 81 and Assembly Bill 128.

This legislation accomplishes a very simple and straightforward objective. It affirms that funds held by public authorities are prohibited from being used to subsidize the performance of abortions.

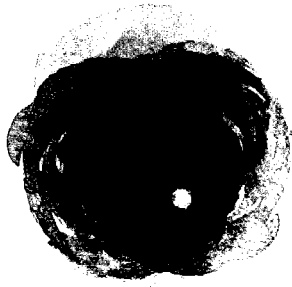
Much like the Federal Employee Health Benefits Program, the legislation prohibits the state's Group Insurance Board from providing health insurance that includes coverage for abortion services, with exceptions. By aligning state and federal law, SB 81 and AB 128 will ensure that our public policies champion the life and dignity of every human person.

This legislation is sensible. Indeed, twenty-one states restrict abortion coverage in public employee insurance plans, including our neighbors Illinois, Indiana, Michigan, and Ohio (see Henry J. Kaiser Family Foundation – April 1, 2017 data report).

Some argue that women will be denied comprehensive health care if this legislation passes. It bears repeating that taking a human life is not health care, for it is neither healthy nor caring. As Pope Francis has written, "It is not 'progressive' to try to resolve problems by eliminating a human life..." (*Evangelii Gaudium*, 214)

Others argue that the legislation will have a disproportionate effect on women who have low incomes, have disabilities, and/or are members of minority groups. The Catholic Church understands the challenges that these women face and insists that the private and public sectors do more to help women and children in need. So, while every unborn child deserves protection, every woman deserves support to carry her child to term and, if she so chooses, to raise her child. All pregnant women deserve the best pre-natal care, maternity leave, child care, and the necessary assistance if they have a child with special needs.

We urge you to ensure that public funds in Wisconsin are not used to procure abortions. Please support SB 81 and AB 128.



ProLife
LOVE. FOR LIFE. WI.

**Testimony in Support of SB 81 / AB 128: prohibiting the group insurance board from contracting for or providing abortion services
Senate Committee on Insurance, Housing and Trade
By Matt Sande, Director of Legislation**

December 13, 2017

Good morning Chairman Lasee and Committee members. My name is Matt Sande and I serve as director of legislation for Pro-Life Wisconsin. Thank you for this opportunity to express our support for SB 81 / AB 128, legislation that would prohibit elective abortion coverage in Wisconsin's public health insurance plans.

Current Wisconsin law already prohibits abortion coverage in Wisconsin's health insurance exchange. The federal Patient Protection and Affordable Care Act (a.k.a. Obamacare) allows health insurance plans offering abortion coverage to participate in a state's insurance "exchange" and to receive federal subsidies unless the state legislature proactively opts-out of offering such plans. Several states have enacted laws opting-out of abortion coverage in their exchanges, including Wisconsin, Arizona, Tennessee, Mississippi, Missouri, Louisiana, and Nebraska to name a few.

As a matter of equity, public health insurance plans and private exchange plans should both exclude abortion coverage. As a matter of conscience, government should not force taxpayers to fund the killing of preborn children. Abortion - the direct, intentional killing of a preborn child - is not health care. And in poll after poll, Americans overwhelmingly say they oppose taxpayer-funded abortion. Politico and the Harvard T.H. Chan School of Public Health conducted a poll in September 2016 showing that a majority of likely voters, 58 percent, opposed the use of Medicaid funds to pay for abortion. Similarly, a July 2016 Marist poll found that 62 percent of Americans oppose taxpayer funding of abortion.

Senate Bill 81 and Assembly Bill 128 mirror the exceptions for rape, incest, and the life-of-the mother found in Wisconsin's abortion funding prohibition (Wis. Stat. 20.927), as does the current law ban on abortion coverage in our state health insurance exchange. Pro-Life Wisconsin opposes these exceptions, but when it comes to public funding of abortion, *any* proactive step to stanch the flow of tax dollars for abortion coverage is welcomed. Accordingly, we strongly urge you to recommend SB 81 / AB 128 to the full Senate for prompt debate and passage.

Thank you for your consideration.

Life

WISCONSIN RIGHT TO LIFE

Heather Weininger, Executive Director, Wisconsin Right to Life

Senate Committee on Insurance, Housing and Trade

SB 81, relating to: prohibiting the group insurance board from contracting for or providing abortion services.

Wednesday, December 13, 2017

Thank you to Chairman Lasee and members of the Senate Committee on Insurance, Housing and Trade for your time today.

My name is Heather Weininger, and I am the Executive Director of Wisconsin Right to Life, testifying in favor of SB 81, which would stop taxpayer funding for abortion through state employee's health insurance plans.

Thanks to the leadership of Senator Craig and Representatives Jacque, Tusler, and Brandtjen, Wisconsin has the opportunity to reverse a deadly error.

In 1995, then-Attorney General James Doyle was asked to issue an opinion on the applicability of s. 20.927 to health insurance plans provided for state and local government employees by the Group Insurance Board (GIB). On February 14, 1995, Doyle issued an opinion in which he asserted that, "*monies used to fund state employee insurance plans are not subject to the limitation of section 20.927 when establishing and contracting for state and local employee health insurance plans.*"

Doyle's 1995 opinion blatantly disregarded the clear intent of the Legislature when it passed s. 20.927 into law in 1977. The legislative findings clearly say, "*It is therefore declared to be the public policy of this state that nontherapeutic abortions shall not be subsidized. The following statutory provisions shall be **broadly construed** [my emphasis] to effect the objectives set forth in this section.*" Rather than a broad interpretation, Doyle **narrowly** construed this law in order to provide publicly funded abortion coverage to state and local employees using public dollars.

It should be noted that Doyle was endorsed by Planned Parenthood of Wisconsin when he ran for both Attorney General and Governor of Wisconsin, and thousands

upon thousands of dollars were spent by the abortion provider to support his election to office. Today, Planned Parenthood of Wisconsin is registered against SB 81.

Fortunately, SB 81 will reverse Doyle's deadly error that allowed for taxpayer funding of abortion in Wisconsin.

A 2016 Marist poll showed that more than 6 in 10 Americans, both pro-life and pro-choice, Republicans and Democrats, oppose taxpayer funding for abortion. SB 81 recognizes this consensus and ensures that the Group Insurance Board does not provide nor enter into any contract with a group health insurance plan that covers abortion. While abortion coverage for state employee's health insurance is an indirect means of taxpayer-subsidized abortions, at the end of the day, the funds supporting state employee's insurance are public - and therefore, paid by taxpayers. No taxpayer should ever be forced to have his or her money support an activity that takes a human life, whether by direct or indirect means.

We have no idea how many abortions covered by state employee insurance plans have been paid for with taxpayer dollars since 1994. Thankfully, SB 81 will stop taxpayer funding for abortion through this means, so that no human life is taken on the taxpayer's dime.

Thank you very much for your time,

Heather Weininger



Chelsea Duffy, Legislative Director, Wisconsin Right to Life

Senate Committee on Insurance, Housing and Trade

SB 81, relating to: prohibiting the group insurance board from contracting for or providing abortion services.

Wednesday, December 13, 2017

Thank you to Chairman Lasee and members of the Senate Committee on Insurance, Housing and Trade for your time today.

My name is Chelsea Duffy, and I am the Legislative Director of Wisconsin Right to Life, testifying in favor of SB 81, which would stop taxpayer funding for abortion through state employee's health insurance plans.

Directly or indirectly, no taxpayer dollars should ever fund a single abortion.

Right now, taxpayer dollars are placed into a Public Employee Trust Fund that is used in part to cover the costs of state employees' health insurance plans, which do cover elective abortions. While these taxpayer dollars do not directly go into the abortionist's pocket, these dollars do originate from the pocketbooks of everyday Wisconsinites - the most of whom would object to their money ever propping up the abortion industry.

Nationwide, polls show that Americans, both pro-life and pro-choice, both Republican and Democrat, object to taxpayer funding for abortion. In fact, a 2016 Marist poll found that 6 out of every 10 Americans don't want their taxpayer dollars paying for abortion. This is consensus.

Taxpayers who object to the tragedy of abortion do not want to contribute, in any way, to the abortion industry's bottom line. Even among those who support abortion, there is an understanding that we should respect the conscience rights of those who object to abortion. If you fundamentally believe abortion takes a human life, you should not be obliged to support abortion in any way.

I would like to thank Senator Craig and Representatives Jacque, Tusler, and Brandtjen for their leadership in protecting the conscience rights of taxpayers in our state. SB 81 is an important and necessary step to ensure that no Wisconsin taxpayer's money subsidizes the taking of innocent human life through abortion.

Thank you very much for your time,

Chelsea Duffy



WISCONSIN FAMILY ACTION
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Testimony in Support of Senate Bill 81
Senate Committee on Insurance, Housing and Trade
Public Hearing, December 13, 2017
Julaine Appling
President, Wisconsin Family Action

Thank you, Chairman Lasee and committee members, for the opportunity to testify in support of Senate Bill 81.

Wisconsin Family Action (WFA) believes this bill is necessary to bring the state fully in compliance with existing state prohibitions on funding abortion, as cited in Section 20.927 of our state statutes.

Providing a benefit in the form of a health insurance policy to state employees, state annuitants or local government employees whose local government unit participates in a Group Insurance Board health insurance plan certainly constitutes state funding. Since the law clearly prohibits state funds from subsidizing abortion, with the exceptions as noted in 20.927, making health insurance policies that include abortion available to state employees and the others as noted obviously is funding abortion and should therefore not be permitted.

It is time to bring this outlier into conformity to state law. Abortion is not health care, and Wisconsin citizens should not be forced to pay for non-health-care procedures, especially for a controversial procedure such as abortion.

Wisconsin Family Action urges the committee to support this bill and move it to the full Senate for a vote.

Again, thank you for this opportunity; and I am happy to answer questions.



Wisconsin Medical Society

Your Doctor. Your Health.

TO: Senate Committee on Insurance, Housing and Trade
Senator Frank Lasee, Chair

FROM: Mark Grapentine, JD – Senior Vice President, Government Relations

DATE: December 13, 2017

RE: Opposition to Senate Bill 81/Assembly Bill 128

On behalf of more than 12,000 members statewide, the Wisconsin Medical Society thanks you for this opportunity to share our testimony opposing Senate Bill 81/Assembly Bill 128, which would bar the state of Wisconsin's Group Insurance Board (GIB) from entering into a health insurance contract that includes coverage or services for an abortion.

Among its other responsibilities, the GIB oversees group health insurance policies for state employees, covered local employees and retirees. This coverage is paid for by a "public employee trust fund" as established in Wis Stats sec. 40.01(1):

(1) Creation. A "public employee trust fund" is created to aid public employees in protecting themselves and their beneficiaries against the financial hardships of old age, disability, death, illness and accident, thereby promoting economy and efficiency in public service by facilitating the attraction and retention of competent employees, by enhancing employee morale, by providing for the orderly and humane departure from service of employees no longer able to perform their duties effectively, by establishing equitable benefit standards throughout public employment, by achieving administrative expense savings and by facilitating transfer of personnel between public employers.

The GIB's 11-member Board of Trustees considers the scope of coverage offered and the cost for those services when seeking health insurance benefits for its participants. This Board includes representatives from all three classes of covered entities who are charged with determining various coverage options, and ultimately what is the best array of coverage for its participants.

Although it is a contentious issue, abortion is a legal medical procedure. Legislative action to bar the GIB from offering a health insurance coverage agreement that includes access to a legal procedure may not be in the best interests of plan participants who may need access to those legal procedures. The GIB should be allowed to make its own decisions about health care coverage rather than have coverage options artificially restricted.

Thank you again for this opportunity to provide our testimony on Senate Bill 81/Assembly Bill 128. Please feel free to contact the Society on this and other health-related issues.

Nicholas B. Davies
414 N Segoe Rd. 58B
Madison, WI 53705

December 13, 2017
(In opposition to) S.B. 81

Dear members of the committee,

Please reject S.B. 81. Women's healthcare decisions should be made between her and her doctor, and not subject to anyone at her employer or her spouse's employer, especially during complications late in a pregnancy. Her employer's motivation for his interference in her care is irrelevant.

This is even more true when that employer is the government of Wisconsin, my great state, and when her boss's intrusion into her medical decisions is made using my tax dollars. I deeply resent being made complicit in that.

A woman is a full human being in every sense that a man is. Every part of her is a part of her own body, just like all parts of my body are parts of mine. She is capable of making informed decisions about all parts of her body, without exception, just as my judgement is no less clear about any parts of myself.

I believe that because of these simple facts, a woman's right to make decisions about her own body is inalienable, regardless of what organ her decision concerns, especially when those decisions concern her health and her life itself.

S.B. 81 would deny women medical treatment, and place women's lives at risk. It will also discourage skilled women from entering the state workforce, if we provide such sub-standard insurance.

Women would be wise to think twice about marrying and starting a family with a state employee, and relying on that state employee's insurance, if that insurance is simply going to fail them when something goes wrong with their next pregnancy. If I were working for the state, I could not in good conscience sign my spouse up for my insurance, knowing that it would stop short of paying to save her in a time of crisis.

I urge you again to reject S.B. 81, for the sake of hiring and promoting the best for our state workforce, for the sanctity of marriage and family, and for sake of saving lives.

Thank you,

Nicholas Davies
Citizen of Wisconsin



one final note: insurance is one way that we fairly compensate state workers for their time and work. This bill would constitute a pay cut for the women in that workforce, requiring them to supplement their compensation out of their own pocket.



Madison Chapter of the National Organization for Women (NOW) * winow.org * 608.571.4725 *
PO Box 45671, Madison, Wisconsin 53744

Testimony against Senate bill 81 “An Act to renumber 40.02 (1); to amend 40.03 (6) (a) and 40.03 (6) (b); and to create 40.02 (1d), 40.03 (6) (m) and 40.56 of the statutes; relating to: prohibiting the group insurance board from contracting for or providing abortion services.”

Committee on Insurance, Housing and Trade

December 13, 2017

Members of the Committee on Insurance, Housing and Trade, thank you for the opportunity to share our position on Senate bill 81. My name is Lindsay Lemmer, and I’m the president of the Madison chapter of the National Organization for Women (NOW).

The Madison Chapter of the National Organization for Women - Madison NOW - wishes to be recorded as strongly against Senate bill 81 “An Act to renumber 40.02 (1); to amend 40.03 (6) (a) and 40.03 (6) (b); and to create 40.02 (1d), 40.03 (6) (m) and 40.56 of the statutes; relating to: prohibiting the group insurance board from contracting for or providing abortion services.” This act will force public employees faced with devastating pregnancy complications, or who have been told they will miscarry, to no longer have insurance coverage when they need it the most. Further, the legislation is one more intrusion into situations that ought to be left to those faced with these painful circumstances and their physicians.

This bill seems to ban medically needed abortions with few exceptions.

The fact that public employees’ health insurance is already banned from covering abortions except those deemed therapeutic (medically necessary) means that while this bill will impact a small number of individuals, its effect will be profound in its cruelty. Those impacted would largely be individuals who want their pregnancies and are faced with severe medical complications, such as grave fetal anomalies. People who are dealing with an already tragic situation would have that compounded with financial hardship from having to pay for needed care out of pocket, a cost that can be thousands of dollars. One has no choice or control over being in such a painful situation, which is why they especially need to have insurance coverage for this tragic time in their life.



Madison Chapter of the National Organization for Women (NOW) * winow.org * 608.571.4725 *
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Women dealing with these traumatic medical situations that require therapeutic abortion care must be able to rely on their doctor's advice and care without political intrusion into that painful and private situation.

Thank you for your time and consideration.