

State of Vermont
House of Representatives
Montpelier, Vermont



House Resolution
H.R. 19

House resolution relating to the Green Mountain Care board and the definition of family planning

Offered by: Representatives Batchelor of Derby, Strong of Albany, Acinapura of Brandon, Bouchard of Colchester, Brennan of Colchester, Burditt of West Rutland, Canfield of Fair Haven, Donaghy of Poultney, Donahue of Northfield, Fagan of Rutland City, Hebert of Vernon, Higley of Lowell, Hubert of Milton, Kilmartin of Newport City, Larocque of Barnet, Marcotte of Coventry, McNeil of Rutland Town, Morrissey of Bennington, Pearce of Richford, Perley of Enosburgh, Reis of St. Johnsbury, Savage of Swanton, Shaw of Pittsford and Winters of Williamstown

Whereas, Act 48 of 2011, which established Green Mountain Care, enacted 33 V.S.A. § 1825(a)(1), which provides that “Green Mountain Care shall include primary care,” and

Whereas, Act 48 defines “primary care” in 33 V.S.A. § 1823(10) as including family planning, and

Whereas, the World Health Organization defines family planning services as those that allow “individuals and couples to anticipate and attain their desired number of children and the spacing and timing of their births. It is achieved through use of contraceptive methods and the treatment of involuntary infertility,” and

Whereas, an overwhelming majority of both international and domestic governing bodies have affirmed that in no circumstances can abortion be regarded as a method of family planning, and

Whereas, it is the longstanding policy of the federal government that abortion is not a method of family planning. For example, section 1008 of the Public Health Service Act (42 U.S.C. § 300a-6) specifies that “none of the funds appropriated under [the family planning programs operated pursuant to Title X of the act] shall be used in programs where abortion is a method of family planning,” and

Whereas, when the federal or a state government appropriates public funds to establish a program, it is entitled to define the limits of that program, Rust v. Sullivan, 500 U.S. 173, 194 (1991), and

Whereas, the state of Vermont has given priority to the funding of prenatal care through the Dr. Dynasaur program to ensure that pregnancies have healthy outcomes for mothers and babies, and

Whereas, the taxpayers of the state of Vermont under the Medicaid program and other state-funded health programs already pay for “income-eligible” abortions at the cost of tens of thousands of dollars per year, and

Whereas, if the Green Mountain Care board were to interpret the definition of “family planning” to include abortions, it would expand taxpayer funding of abortions to all, including those with the ability to pay, and

Whereas, in states where abortions are provided at taxpayer expense, the number of abortions increases, now therefore be it

Resolved by the House of Representatives:

That this legislative body urges the Green Mountain Care board to interpret its statutory mandate to cover family planning services as not including abortion, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the Green Mountain Care board, Governor Peter Shumlin, the department of financial regulation, and the Vermont Congressional Delegation.

Shapleigh Smith, Jr.
Speaker of the House

Attested to:

Donald G. Milne
Clerk, House of Representatives