

THE HYDE AMENDMENT

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The Hyde Amendment is a critical pro-life measure and was the first pro-life legislative victory following *Roe v. Wade*. It prohibits Medicaid from contributing money to pay for women's elective abortions. There are exceptions for life endangerment, rape, and incest.

HISTORY OF THE HYDE AMENDMENT

The Hyde Amendment is not a permanent law in and of itself and is not technically fixed to any one piece of legislation. The first Hyde Amendment was attached to the Health and Human Services (HHS) appropriations bill of September 1976 as a "rider." The Hyde Amendment is named after its sponsor, Congressman Henry Hyde (R-Illinois), and has continued to be a rider on the HHS appropriations bill every year since then.¹

DEFINING TERMS

Appropriation: *The provision of funds, through an annual appropriations act or a permanent law, for federal agencies to make payments out of the Treasury for specified purposes. The formal federal spending process consists of two sequential steps: authorization and then appropriation.*²

Rider: *Informal term for a nongermane amendment to a bill or an amendment to an appropriation bill that changes the permanent law governing a program funded by the bill.*³

WHAT IS MEDICAID?

You have no doubt heard the terms Medicaid and Medicare tossed around in personal discussions, on the news, or by lawmakers. They sound similar, and

they both deal with federal funds being given for healthcare or medical needs. It's easy to get them confused, but it's important to understand the difference.

Medicare is a type of federal health insurance policy. If people are eligible, they pay into it during the time that they are working and can receive the funds after they turn 65. It's not totally dissimilar in structure from Social Security.

Medicaid, on the other hand, is a federal and state assistance program that is provided based on an individual's income. It is funded by other people's income through income taxes. Given that an individual qualifies for Medicaid based on the Federal Poverty Level, there are four groups of people who receive Medicaid funds, and one of them is pregnant mothers. Medicaid pays for costs associated with pregnancy and birth. Statista reported that 17.9% of Americans were covered by Medicaid in 2018.⁴

Understanding Medicaid is crucial to understanding the Hyde Amendment for two reasons. First, because Medicaid is funded by income taxes, those who are pro-life feel that it is important their tax dollars are not used to fund another individual's abortion. Second, because Medicaid funds healthcare for low-income individuals, the pro-abortion lobby is particularly vehement that recipients should not be denied federal assistance in obtaining abortions.

Planned Parenthood states on their website, "When policymakers deny insurance coverage for abortion, people are either forced to carry a pregnancy to term or pay for care out of their own pocket."⁵ They make this sound like the worst possible thing the government could do when it is just the reality

THE HYDE AMENDMENT

of the situation. Because of *Roe v. Wade*, mothers are free to have a legal elective abortion. They are not entitled to obtain that elective abortion through taxpayer dollars. Remember that there are exceptions for life endangerment, rape, and incest. The mother's life is not jeopardized because of the Hyde Amendment.

Something to note is that states can still choose to spend state Medicaid dollars on abortion services, and 15 states have chosen to do so.⁶

THE HYDE AMENDMENT PROTECTS LIFE!

In 2009, the pro-abortion Guttmacher Institute did a literature review of numerous studies on the topic of restrictions on Medicaid funding for abortions. Among other things, they found that when Medicaid restrictions are in place, one-fourth of women gave birth who would have otherwise obtained an abortion using Medicaid funds. They also found Medicaid restrictions reduced abortions from teen pregnancies. They could not find evidence that Medicaid restrictions resulted in an increase in illegal abortions.⁷

The Guttmacher Institute highlighted, "The additional public cost of prenatal care, delivery services and welfare totals 4–5 times the amount saved by not paying for Medicaid abortions."⁸ They felt this point was compelling enough to include in their review highlight, but it does not do them any favors. We should not be in the business of funding the murder of innocent children to save

a buck later. It is not ideal to increase the number of people in the welfare system, but would they advocate to kill someone else in the name of cutting costs?

Unfortunately, there is not a concrete number of lives saved by the Hyde Amendment. There have, however, been three separate studies analyzing Medicaid recipients and the birthrate. The studies analyzed women in Illinois, Texas, and Ohio and found that with the Hyde Amendment in place, the average increase in the birthrate was nearly 13 percent.⁹ Using methods of extrapolation, The Charlotte Lozier Institute estimates that the Hyde Amendment saves roughly 60,000 lives every year, which would add up to 2.13 million lives saved since 1976.¹⁰ There is not a doubt that people are alive today because of the Hyde Amendment.

THE HYDE AMENDMENT'S SCOPE

The scope of the Hyde Amendment has increased over the years to numerous funding bills. Most recently, the Families First Coronavirus Response Act, the first stimulus package in response to the COVID-19 pandemic, contained Hyde language.¹¹ This ensured that during a time of national emergency, when the nation was largely shut down, relief funding would not be directed towards elective abortion. The Hyde Amendment is critical to the pro-life cause. As Melanie Israel of Heritage Foundation put it, "Policymakers must remain vigilant and ensure that future legislative proposals don't open new doors to paying for elective abortions with federal tax dollars."¹²



THE HYDE AMENDMENT

THE HELMS AMENDMENT

The Helms Amendment is seen as the international counterpart to the Hyde Amendment. It was actually passed first as part of the Foreign Assistance Act in 1973. As the largest donor of reproductive health and family planning assistance globally, it was important to establish parameters for U.S. dollars headed overseas.¹³ The Helms Amendment bars U.S. dollars from going to international organizations which promote and/or perform abortions.

¹ Mitchell J. New, Ph.D., "Hyde @ 40, analyzing the impact of the Hyde Amendment," *Charlotte Lozier Institute*, September 2016, https://s27589.pcdn.co/wp-content/uploads/2016/09/OP_hyde_9.28.3.pdf.

² "Glossary Term: Appropriation," *United States Senate*, https://www.senate.gov/reference/glossary_term/appropriation.htm.

³ "Glossary Term: Rider," *United States Senate*, https://www.senate.gov/reference/glossary_term/rider.htm.

⁴ Matej Mikuic, "Percentage of people covered by Medicaid in the United States from 1990 to 2018," *Statista*, September 16, 2019, <https://www.statista.com/statistics/200960/percentage-of-americans-covered-by-medicaid/> <https://www.investopedia.com/articles/personal-finance/081114/medicaid-vs-medicare.asp#citation-2>.

⁵ "Hyde Amendment," *Planned Parenthood Action Fund*, <https://www.plannedparenthoodaction.org/issues/abortion/hyde-amendment>.

⁶ Mitchell J. New, Ph.D., "Hyde @ 40, analyzing the impact of the Hyde Amendment," *Charlotte Lozier Institute*, September 2016, https://s27589.pcdn.co/wp-content/uploads/2016/09/OP_hyde_9.28.3.pdf.

⁷ Stanley K. Henshaw, Theodore J. Joyce, Amanda Dennis, Lawrence B. Finer, and Kelly Blanchard, "Restrictions on Medicaid Funding for Abortions: A Literature Review," *Guttmacher Institute*, June 2009, https://www.guttmacher.org/sites/default/files/report_pdf/medicaidlitreview.pdf.

⁸ Ibid.

⁹ Mitchell J. New, Ph.D., "Hyde @ 40, analyzing the impact of the Hyde Amendment," *Charlotte Lozier Institute*, September 2016, https://s27589.pcdn.co/wp-content/uploads/2016/09/OP_hyde_9.28.3.pdf.

¹⁰ Ibid.

¹¹ Melanie Israel, "Abortion and Coronavirus: Here's What You Need to Know," *The Heritage Foundation*, March 23, 2020, <https://www.heritage.org/life/commentary/abortion-and-coronavirus-heres-what-you-need-know>.

¹² Ibid.

¹³ Grace Melton, "Pro-Life Women Can't Let U.N. Commission Distort Women's Rights," *The Heritage Foundation*, March 10, 2020, <https://www.heritage.org/life/commentary/pro-life-women-cant-let-un-commission-distort-womens-rights>.

ACTION ITEMS

- Use this lesson as a springboard for more research: The Hyde Amendment has widened its reach since its original passage.
- Find out if your state allows Medicaid funds to pay for elective abortions. Write your legislators and let them know why this is important to you as a constituent.

PRAYER POINTS

- Pray for the end of abortion.
- Pray that legislators would continue to value the Hyde Amendment and that it would grow in its reach.
- Pray for legislative change in those states that still allow Medicaid funds to pay for elective abortions.