

Introduced by Senator Jackson

July 3, 2014

Senate Resolution No. 55—Relative to reproductive health.

1 ~~WHEREAS, California has always prioritized women’s health~~
2 ~~care; and~~

3 ~~WHEREAS, Any decisions to use contraceptives should be~~
4 ~~made by a woman in consultation with her health care providers~~
5 ~~and not her employer; and~~

6 ~~WHEREAS, The federal Centers for Disease Control and~~
7 ~~Prevention (CDC) maintains that family planning is one of the 10~~
8 ~~great public health achievements of the 20th Century; and~~

9 ~~WHEREAS, The United States Supreme Court has previously~~
10 ~~recognized in Planned Parenthood of Southeastern Pennsylvania~~
11 ~~v. Casey (1992) 505 U.S. 833, 856, that “[t]he ability of women~~
12 ~~to participate equally in the economic and social life of the Nation~~
13 ~~has been facilitated by their ability to control their reproductive~~
14 ~~lives”; and~~

15 ~~WHEREAS, The United States Congress required health plans~~
16 ~~to cover all Food and Drug Administration-approved methods of~~
17 ~~contraception for women with no out-of-pocket costs as part of~~
18 ~~the federal Patient Protection and Affordable Care Act (ACA),~~
19 ~~and nearly 30 million woman across the United States have already~~
20 ~~benefited from that provision; and~~

21 ~~WHEREAS, In *Burwell v. Hobby Lobby Stores, Inc.* (2014) 573~~
22 ~~U.S. ____, the Supreme Court concluded that closely-held~~
23 ~~corporations cannot be required to provide contraceptive coverage~~

1 *if the corporations’ owners have religious objections to the*
2 *contraception; and*

3 *WHEREAS, Women generally have less disposable income to*
4 *spend on health care services because of the gender pay gap, the*
5 *impact of the decision in *Burwell v. Hobby Lobby Stores, Inc.* will*
6 *place additional financial burdens on women already facing the*
7 *inequity of wage discrimination; and*

8 *WHEREAS, Nearly two-thirds of minimum wage workers are*
9 *women, the impact of the decision in *Burwell v. Hobby Lobby**
10 *Stores, Inc. is expected to fall more heavily on low-income women*
11 *whose access to health care is frequently limited; and*

12 *WHEREAS, As noted in Justice Ginsberg’s dissent, the cost of*
13 *an intrauterine device (IUD) “is nearly equivalent to a month’s*
14 *full-time pay for workers earning the minimum wage”; and*

15 *WHEREAS, The lack of access to contraception leads to an*
16 *increase in unintended pregnancies; and*

17 *WHEREAS, According to the CDC’s National Center for Health*
18 *Statistics, more than 99 percent of women use birth control at*
19 *some point in their lives, and approximately 62 percent of all*
20 *women of reproductive age are currently using a contraceptive*
21 *method; and*

22 *WHEREAS, Contraceptive services can serve as a gateway for*
23 *women to enter the health care system and obtain preventive*
24 *medical care; and*

25 *WHEREAS, “The exemption sought by Hobby Lobby . . . would*
26 *deny legions of women who do not hold their employers’ beliefs*
27 *access to contraceptive coverage that the ACA would otherwise*
28 *secure,” as noted in Justice Ginsberg’s dissent; and*

29 *WHEREAS, Any decisions to use contraceptives should be made*
30 *by a woman in consultation with her health care providers and*
31 *not her employer; and*

32 *WHEREAS, According to the Guttmacher Institute, state*
33 *legislatures of the United States introduced over 1,100 anti-choice,*
34 *anti-women legislative proposals in 2011, designed to place*
35 *restrictions on women’s health care and erode protections for*
36 *women and their families, including restricting access to*
37 *contraception, imposing invasive procedures to impede a woman’s*
38 *choice, and allowing for-profit companies to prohibit choice; and*

39 *WHEREAS, It is the goal of some to deprive women of their*
40 *reproductive rights by using the argument of religious freedom*

1 *and ignoring women’s health, which results in the disparate*
2 *treatment of women and undermines individual choice; and*

3 *WHEREAS, There appears to be an organized strategy to upend*
4 *long-standing policy in the areas of contraceptive rights and health*
5 *care rights for women; and*

6 *WHEREAS, California has always prioritized women’s health*
7 *care, including passing the groundbreaking Women’s*
8 *Contraception Equity Act in 1999, which requires employer-based*
9 *health plans that cover a variety prescription drugs to also cover*
10 *a variety of prescription contraceptive methods; and*

11 *WHEREAS, There is concern that corporations may attempt to*
12 *misuse the precedent set by Burwell v. Hobby Lobby Stores, Inc.*
13 *(2014) 573 U.S. _____ to unduly restrict women’s health care*
14 *options or seek religious exemptions from other generally*
15 *applicable laws; now, therefore, be it*

16 *Resolved by the Senate of the State of California, That the Senate*
17 *of the State of California recognizes the critical importance of a*
18 *continued commitment to reproductive health care and access; and*
19 *be it further*

20 *RESOLVED, That the Senate of the State of California urges*
21 *the United States Senate to reconsider and approve Senate Bill*
22 *2578, referred to as the Not My Boss’s Business Act, which would*
23 *prevent employers from denying coverage of contraceptives*
24 *regardless of their religious views; and be it further*

25 *RESOLVED, That the Senate of the State of California reaffirms*
26 *the decision of Roe v. Wade (1973) 410 U.S. 113, which*
27 *acknowledges that reproductive choice is a fundamental right that*
28 *belongs to all women; and be it further*

29 *Resolved, That the Secretary of the Senate transmit copies of*
30 *this resolution to the President and Vice President of the United*
31 *States, to the Speaker of the House of Representatives, to the*
32 *Majority Leader of the Senate, to each Senator and Representative*
33 *from California in the Congress of the United States, and to the*
34 *author for appropriate distribution.*

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