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April 17, 2023

Assembly Chair Jim Wood
Assembly Health Committee
1021 "O" Street, Rm 1100
Sacramento, CA 95814

Re: Letter urging amendment of AB 492

Dear Chairman Wood and Members of the Assembly Health Committee,

On behalf of the Right to Life League and our supporters, we urge you to reject **SB 385**.

As currently drafted, AB 492 violates the California state constitution. It sets up a state funding program which will benefit Medi-Cal providers that choose to provide abortion. By definition, it excludes from consideration other Medi-Cal health care providers who choose not to provide abortions.

If the state enacts AB 492, it will have created an unequal financial treatment of abortion and childbirth in violation of the California Constitution, pursuant to *Committee to Defend Reproductive Rights v. Myers*, 29 Cal.3d 252 (1981). In that decision our supreme court stated: **"Can the state tell a poor woman that it will pay for her needed medical care but only if she gives up her constitutional right to choose whether or not to have a child?"**

It is a simple matter to cure the bill by eliminating one word. Simply amend the definition of services to remove the word "abortion" in paragraph (2) of subdivision (b) of Section 14184.811.

Please vote NO on AB 492 in its current form, and recommend the author make the small adjustment which would cure the constitutional problem with the bill.

Very Truly Yours,

Susan S. Arnall, Esq.
Vice President of Legal Affairs
Right to Life League