

Press Release:

Supreme Court Dismissal of Idaho's Appeal on Emergency Care is Disappointing and Dangerous

Statement by Louis Brown, Jr., Esq, Executive Director of Christ Medicus Foundation and former Acting Deputy Director of the Civil Rights Division at the HHS Office for Civil Rights

For Immediate Release
June 27, 2024

The U.S. Supreme Court's decision to sidestep the merits and to dismiss *Moyle v. United States* as improvidently granted is disappointing and may have devastating consequences in the weeks ahead for the life and health of pregnant mothers and their preborn children. The Supreme Court's decision today in *Moyle* permits the District Court injunction against Idaho's pro-life law to stand, for now, and as Justice Alito's dissent states: "it is very likely that the preliminary injunction will lead to more abortions, including in at least some cases where the fetus is viable." Because the Court failed to reach the merits of this case, tragically, the Biden Administration is likely to continue its unlawful efforts to coerce emergency departments to perform abortions in some circumstances.

The Biden Administration is also likely to continue illegally trampling on the medical conscience rights of pro-life health care professionals and pro-life health care entities who simply seek to protect the lives of their patients. As Justice Alito's excellent dissent demonstrates, the Court's decision is shocking because the verbatim text of the Emergency Medical Treatment and Active Labor Act (EMTALA) specifically requires emergency departments to provide care for both pregnant mothers and "unborn children."

Consistent with the amicus brief we co-filed in this case, I have hope that in a future decision on the merits, the Supreme Court will definitively rule that EMTALA does not mandate abortions but rather that this law specifically requires emergency departments to care for both preborn children and pregnant mothers. Unfortunately, today's outcome in *Moyle v. United States*, for now, may lead to more preborn babies being aborted, more pregnant mothers being harmed from abortion procedures, and in practice, may lead to more medical professionals experiencing their medical conscience rights being cast aside.

The *Moyle* decision reminds all of us in the pro-life movement to prayerfully exert great efforts to tell the American people the truth about pro-life medical care. The abortion industry has spread the lie that a preborn child is a threat to a mother's life and health and has created a medically false conflict between a mother and her baby. In truth, pro-life medical care is the best medical care for both mother and baby. Right now, pro-life health care needs to be defended and protected in the courts, in state and federal public policy, and in the media narrative. The pro-life movement and pro-life health care professionals and pro-life health care entities should continue to unify to defeat the abortion industry's lies. The intentional killing of a preborn child is not medical care and is never medically necessary to protect the health or the life of the mother. The core principle of medicine for hundreds of years is to do no harm and medical treatment inherently does not include the killing of innocent life.

Now is the time to wake up the conscience of the country to robustly protect life, defend medical conscience rights, and safeguard the civil rights of vulnerable and historically marginalized patients from conception to natural death. People of goodwill should continue to oppose the Biden Administration's efforts to destroy pro-life and Catholic health care in America.

Today's ruling was released during Religious Freedom Week which highlights one of the great gifts of our Constitutional Republic – its recognition of religious exercise and religious freedom - and the intentional inclusion of these basic rights in our founding documents. We also reflect on this week's two-year anniversary of the Supreme Court's historic Dobbs decision. The Christ Medicus Foundation encourages the pro-life movement to persevere in our unwavering commitment to defending the sanctity of life, medical conscience and religious freedom rights, and the civil rights of all in health care. As St. John Paul II called us, we must move forward with maximum determination to advance a culture of life, healing, and flourishing for all people at all stages of life, from conception to natural death.

The Christ Medicus Foundation shares Jesus Christ's healing love in health and wellness. We advance religious freedom for medical professionals and patients. We promote Christ-centered pro-life medical care. We offer our CURO Catholic health and wellness program for the medical needs and whole-person wellness of individuals and families. Founded in 1997, the Christ Medicus Foundation works to accomplish its mission through promoting public policy and education, supporting Christ-centered pro-life medical centers, and providing our CURO Catholic Health and Wellness Program.

Louis Brown
Executive Director
Christ Medicus Foundation
lbrown@christmedicus.org