

IN THE SUPREME COURT OF PENNSYLVANIA

ALLEGHENY REPRODUCTIVE	:	
HEALTH CENTER, <i>et al.</i> ,	:	No. 26 MAP 2021
	:	
Petitioners/Appellants	:	
	:	
v.	:	
	:	
PENNSYLVANIA DEPARTMENT	:	
OF HUMAN SERVICES, <i>et al.</i> ,	:	
	:	
Respondents/Appellees	:	

**BRIEF OF *AMICI CURIAE* BY MEMBERS OF THE REPUBLICAN
CAUCUS OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES, IN
SUPPORT OF THE APPELLEES, PENNSYLVANIA DEPARTMENT OF
HUMAN SERVICES, ET AL**

*Appeal from the Order of the Commonwealth Court entered March 26, 2021, at
No. 26 MD 2019*

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TABLE OF CONTENTS

TABLE OF AUTHORITIES.....	i
STATEMENT OF INTEREST OF AMICI CURIAE.....	1
SUMMARY OF ARGUMENT.....	10
ARGUMENT.....	12
I. Legislature’s Authority to Appropriate	13
II. Funding Hope in Life-affirming Alternatives to Abortion	15
III. The Pennsylvania House of Representatives Consistently Demonstrates Its Reverence for Innocent Human Life and Preference for Life-Affirming Alternatives.....	17
A. Regulation of Abortion.....	18
B. Reverence for the Unborn	22
C. Down Syndrome Protection	23
CONCLUSION.....	25
REAL ALTERNATIVES TWENTY-FIVE YEAR REPORT....	Exhibit A

TABLE OF AUTHORITIES

<u>STATE CASES:</u>	<u>Page:</u>
<i>Commonwealth v Edmunds</i> , 586 A.2d 887 (Pa. 1991)	11, 13
<i>Fisher v Dep’t of Public Welfare</i> , 502 A.2d 114	11, 12
(Pa 1985)	13, 18
<i>Shapp v Sloan</i> , 391 A.2d 595 (Pa. 1978)	15
 <u>FEDERAL CASES:</u>	
<i>City of Akron v Akron Center for Reproductive Health, Inc.</i> ,	
462 U.S. 416 (1983).....	21, 22
<i>Harris v McRae</i> , 448 U.S. 297 (1980)	13
<i>Maher v Roe</i> , 432 U.S. 464 (1977)	13
<i>Planned Parenthood of Southeastern Pennsylvania v Casey</i> ,	
505 U.S. 833 (1992)	19, 24
<i>Roe v Wade</i> , 410 U.S. 113 (1973)	22
<i>Thornburgh v American College of Obstetricians</i> , 476 U.S. 747 (1986) ...	18
 <u>CONSTITUTIONAL PROVISIONS:</u>	
Pa. Const. art. II, § 1.....	14
Pa. Const. art. III § 24	14

STATUTES:

18 Pa. C.S.A. § 2601 22

18 Pa. C.S.A. §§ 3201-3220 13, 18

18 Pa. C.S.A. § 3202 11

18 Pa. C.S.A. § 3211 21

18 Pa. C.S.A. § 3215(c) 10, 13

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What Happened in 1985 Major Events, Born This Year, Popular Culture, Prices,
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2021 Pennsylvania TANF State Plan,
<https://www.dhs.pa.gov/Services/Assistance/Pages/TANF.aspx> 16

In re County Investigating Grand Jury XXIII, 2011 WL 711902 (Pa.Comm.PL), https://cdn.cnsnews.com/documents/Gosnell,%20Grand%20Jury%20Report.pdf	20
Statista, <i>State-by-State Abortion Laws in the U.S.</i> , https://www.statista.com/chart/25908/state-by-state-abortion-laws-in-the-us/	22
Healthline, <i>The Debate Over Terminating Down Syndrome Pregnancies</i> , https://www.healthline.com/health-news/the-debate-over-terminating-down-syndrome-pregnancies	23
GuideStar, <i>Real Alternatives, Empowering Women for Life</i> https://www.guidestar.org/profile/23-2868660	17
GOVERNOR ROBERT P. CASEY, FIGHTING FOR LIFE 153 (1996)	17
GOVERNOR ROBERT P. CASEY, FIGHTING FOR LIFE 241 (1996)	16
Act November 17, 1989 (P.L. 592, No. 64)	19
Act of December 22, 2011 (P.L. 563, No. 122)	21
Act of July 18, 2014 (P.L. 2450 No. 130)	24
HB 1130, Amendment A4295, 171 st Leg., Reg Sess. (Pa. 1987)	18, 19
Act of March 25, 1988 (P.L. 262, No. 31)	19
Act of May 1, 2006 (P.L. 103, No. 30)	20
HB 574, P.N. 1521, 195 th Leg., Reg. Sess. (Pa. 2011)	21
HB 1948, P.N. 3056, 200 th Leg., Reg. Sess. (Pa. 2016)	22
HB 2050, P.N. 3034, 202 nd Leg., Reg. Sess. (Pa. 2018)	24
HB 321, 203 rd Leg., Reg. Sess. (Pa. 2019), Veto No. 4	24

HB 1890, P.N. 2623, 203 rd Leg., Reg. Sess. (Pa. 2019)	23
HB 118, P.N. 1724, 205 th Leg., Reg. Sess. (Pa. 2021)	23
HB 1500, P.N. 1563, 205 th Leg., Reg. Sess. (Pa. 2021)	24
SB 1113, P.N. 2244, 170 th Leg., Reg. Sess. (Pa. 1986)	16
Act of October 2, 1997 (P.L. 379, No. 44)	22
SB 3, 201 st Leg., Reg. Sess. (Pa. 2017), Veto No. 3	22
Act of June 30, 2021 (No. 1A)	16
PA House Journal November 24, 1987, page 1930	19
PA House Journal March 16, 1988, page 376	19
PA House Journal October 24, 1989, pages 1819-1821.....	14
PA House Journal April 29, 1997, page 881.....	23
PA House Journal May 11, 2011, page 964.....	21
PA House Journal December 13, 2011, page 2500.....	21
PA House Journal June 8, 2021, page 815	24

STATEMENT OF INTEREST OF

AMICI CURIAE

The members of the Republican Caucus of the Pennsylvania House of Representatives (“House Republican Caucus”) named below (collectively, “*Amici Curiae*”) file this brief in support of the appellees, Pennsylvania Department of Human Services, et al.¹

State Representative Kathy Rapp represents the 65th Legislative District in the Pennsylvania House of Representatives, serving Warren County and parts of Crawford and Forest Counties. Representative Rapp serves as Chair of the Health Committee. State Representative Kate Klunk represents the 169th Legislative District in the Pennsylvania House of Representatives, serving portions of York County. Representative Klunk serves as Secretary for the Judiciary Committee, and as Subcommittee Chair on Family Law. She also serves as Chair of the Subcommittee on Employment and Unemployment.

State Representative Rich Irvin represents the 81st Legislative District in the Pennsylvania House of Representatives, serving parts of Centre, Huntingdon, and

¹ Pursuant to Pa.R.A.P. 531(b)(2), *Amici Curiae* discloses that no other person or entity other than the *Amici Curiae* or its counsel paid, in whole or in part, for the preparation of this *Amici Curiae* brief or authored, in whole or in part, this *Amici Curiae* brief.

Mifflin Counties. Representative Irvin serves as Chair for the Subcommittee on Counties. State Representative Frank Ryan represents the 101st Legislative District in the Pennsylvania House of Representatives serving parts of Lebanon County. Representative Ryan serves as Chair of the Subcommittee on Military and Veterans Facilities. State Representative Bud Cook represents the 49th Legislative District in the Pennsylvania House of Representatives, serving parts of Fayette and Washington Counties. Representative Cook serves as Secretary to the Insurance Committee, and the Committee on Tourism and Recreational Development.

State Representative Greg Rothman represents the 87th Legislative District in the Pennsylvania House of Representatives, serving parts of Cumberland County. Representative Rothman serves as Chair of the Subcommittee on Aviation. State Representative Lou Schmitt represents the 79th Legislative District in the Pennsylvania House of Representatives, serving parts of Blair County. Representative Schmitt serves as Secretary of the Insurance Committee, and Chair of the Subcommittee on Railroads.

State Representative Brad Roae represents the 6th Legislative District in the Pennsylvania House of Representatives serving parts of Crawford and Erie Counties. Representative Roae serves as Chair of the Commerce Committee. State Representative Rob Kauffman represents the 89th Legislative District in the Pennsylvania House of Representatives serving parts of Franklin County.

Representative Kauffman serves as Chair of the Judiciary Committee. State Representative David Zimmerman represents the 99th Legislative District in the Pennsylvania House of Representatives serving parts of Lancaster County.

Representative Zimmerman serves as Secretary for the Agriculture and Rural Affairs Committee. State Representative Parke Wentling represents the 17th Legislative District in the Pennsylvania House of Representatives serving parts of Crawford, Erie, Lawrence, and Mercer Counties. Representative Wentling serves as Chair of the Subcommittee on Travel Promotion, History and Heritage.

State Representative Seth Grove represents the 196th Legislative District in the Pennsylvania House of Representatives serving portions of York County.

Representative Grove serves as Chair of the House State Government Committee.

State Representative Keith Greiner represents the 43rd Legislative District in the Pennsylvania House of Representatives serving parts of Lancaster County.

Representative Greiner serves as Chair for the Subcommittee on Fiscal Policy and Secretary for the Finance Committee.

State Representative Dawn Keefer represents the 92nd Legislative District in the Pennsylvania House of Representatives serving parts of York and Cumberland Counties. Representative Keefer serves as Secretary for the Health Committee.

State Representative Sue Helm represents the 104th Legislative District in the Pennsylvania House of Representatives, serving parts of Dauphin and Lebanon

Counties. Representative Helm serves as Chair of the Gaming Oversight Committee. State Representative Tracy Pennycuick represents the 147th Legislative District in the Pennsylvania House of Representatives, serving portions of Montgomery County. Representative Pennycuick serves as Chair of the Subcommittee on Housing.

State Representative Jerry Knowles represents the 124th Legislative District in the Pennsylvania House of Representatives, serving parts of Berks, Carbon, and Schuylkill Counties. Representative Knowles serves as Chair for the Local Government Committee. State Representative Matthew Dowling represents the 51st Legislative District in the Pennsylvania House of Representatives, serving parts of Fayette and Somerset Counties. State Representative Daryl Metcalfe represents the 12th Legislative District in the Pennsylvania House of Representatives, serving parts of Butler County. Representative Metcalfe serves as Chair of the House Environmental Resources and Energy Committee.

State Representative Torren Ecker represents the 193rd Legislative District in the Pennsylvania House of Representatives, serving parts of Adams and Cumberland Counties. Representative Ecker is Chair for the Subcommittee on Criminal Justice and Secretary for the Game and Fisheries Committee. State Representative Jesse Topper represents the 78th Legislative District in the Pennsylvania House of Representatives, serving parts of Bedford, Franklin and

Fulton Counties. Representative Topper serves as Vice Chair of the Appropriations Committee and Chair of the Subcommittee on Higher Education. State Representative Mark Gillen represents the 128th Legislative District in the Pennsylvania House of Representatives, serving parts of Berks and Lancaster Counties. Representative Gillen serves as Secretary for the Veterans Affairs and Emergency Preparedness Committee. State Representative Mike Jones represents the 93rd Legislative District in the Pennsylvania House of Representatives, serving parts of York County. Representative Jones serves as Chair for the Subcommittee on Automation and Technology. State Representative Barb Gleim represents the 199th Legislative District in the Pennsylvania House of Representatives, serving parts of Cumberland County. Representative Gleim serves as Chair for the Subcommittee on Basic Education.

State Representative Eric Nelson represents the 57th Legislative District in the Pennsylvania House of Representatives, serving parts of Westmoreland County. Representative Nelson serves as Chair of the Subcommittee on Workers Compensation and Worker Protection. State Representative Paul Schemel represents the 90th Legislative District in the Pennsylvania House of Representatives, serving parts of Franklin County. Representative Schemel serves as Chair of the Subcommittee on Health Care, the Subcommittee on Courts, and the Subcommittee on Governmental Integrity and Transparency.

State Representative Tim Bonner represents the 8th Legislative District in the Pennsylvania House of Representatives, serving parts of Mercer and Butler Counties. Representative Bonner serves as the Subcommittee Chair on Health Facilities. State Representative Tim Twardzik represents the 123rd Legislative District in the Pennsylvania House of Representatives, serving portions of Schuylkill County. Representative Twardzik serves as Chair of the Subcommittee on Economic Development. State Representative David Rowe represents the 85th Legislative District in the Pennsylvania House of Representatives, serving parts of Union and Snyder Counties. Representative Rowe serves as Chair of the Subcommittee on Programs and Benefits.

State Representative Brett Miller represents the 41st Legislative District in the Pennsylvania House of Representatives, serving parts of Lancaster County. Representative Miller serves as Chair for the Subcommittee on Public Pensions, Benefits and Risk Management. State Representative Russ Diamond represents the 102nd Legislative District in the Pennsylvania House of Representatives, serving part of Lebanon County. Representative Diamond serves as Chair of the Subcommittee on Government Information Technology and Communication. State Representative Barry Jozwiak represents the 5th Legislative District in the Pennsylvania House of Representatives, serving parts of Berks County. Representative Jozwiak serves as Vice Chair for the Game and Fisheries

Committee, and Chair for the Subcommittee on Crime and Corrections and the Subcommittee on Licensing. State Representative Tina Pickett represents the 110th Legislative District in the Pennsylvania House of Representatives, serving parts of Bradford, Sullivan, and Susquehanna Counties. Representative Pickett serves as Chair of the Insurance Committee. State Representative Carl Walker Metzgar represents the 69th Legislative District in the Pennsylvania House of Representatives, serving parts of Somerset and Bedford Counties. Representative Metzgar serves as Chair of the Liquor Control Committee. State Representative Karen Boback represents the 117th Legislative District in the Pennsylvania House of Representatives, serving Wyoming County and parts of Luzerne and Lackawanna Counties. Representative Boback serves as Chair of the Veterans Affairs and Emergency Preparedness Committee.

Representative Aaron Bernstine represents the 10th Legislative District in the Pennsylvania House of Representatives, serving parts of Lawrence, Beaver and Butler Counties. Representative Stephanie Borowicz represents the 76th Legislative District in the Pennsylvania House of Representatives, serving Clinton County and part of Centre County. Representative James Gregory represents the 80th Legislative District in the Pennsylvania House of Representatives, serving parts of Blair County. Representative Joseph Hamm represents the 84th Legislative

District in the Pennsylvania House of Representatives, serving parts of Lycoming and Union Counties. Representative Joseph Kerwin represents the 125th

Legislative District in the Pennsylvania House of Representatives, serving parts of Dauphin and Schuylkill Counties. Representative Abby Major represents the 60th

Legislative District in the Pennsylvania House of Representatives, serving parts of Armstrong, Butler and Indiana Counties.

Representative Marci Mustello represents the 11th Legislative District in the Pennsylvania House of Representatives, serving part of Butler County.

Representative Leslie Rossi represents the 59th Legislative District in the Pennsylvania House of Representatives, serving parts of Westmoreland and Somerset Counties. Representative Brian Smith represents the 66th Legislative

District in the Pennsylvania House of Representatives, serving Jefferson County and parts of Indiana County. Representative Perry Stambaugh represents the 86th

Legislative District in the Pennsylvania House of Representatives, serving Perry County and parts of Cumberland County. Representative James Struzzi II

represents the 62nd Legislative District in the Pennsylvania House of

Representatives, serving parts of Indiana County.

Representative Johnathan Hershey represents the 82nd Legislative District in the Pennsylvania House of Representatives, serving Juniata County and parts of Franklin and Mifflin Counties. Representative Milou Mackenzie represents the

131st Legislative District in the Pennsylvania House of Representatives, serving parts of Northampton, Lehigh and Montgomery Counties. Representative Jason Ortity represents the 46th Legislative District in the Pennsylvania House of Representatives, serving parts of Allegheny and Washington Counties. Representative R. Lee James represents the 64th Legislative District in the Pennsylvania House of Representatives, serving Venango County and part of Butler County.

Representative Ann Flood represents the 138th Legislative District in the Pennsylvania House of Representatives, serving in part Northampton County.

Representative David Maloney Sr. represents the 130th Legislative District in the Pennsylvania House of Representatives, serving in part of Berks County.

Representative Jeff Wheeland represents the 83rd Legislative District in the Pennsylvania House of Representatives, serving in part of Lycoming County.

Representative Joshua Kail represents the 15th Legislative District in the Pennsylvania House of Representatives, serving parts of Beaver and Washington Counties. Representative Michael Armanini represents the 75th Legislative District in the Pennsylvania House of Representatives, serving Elk County and part of Clearfield County. Representative Jonathan Fritz represents the 111th Legislative District in the Pennsylvania House of Representatives, serving parts of Wayne and Susquehanna Counties.

The interest of the *amici curiae* arises from the role of the legislature as the appropriate conduit through which Commonwealth citizens both enact and amend their statutory law. *Amici* have a strong interest in the proper interpretation and application of the Abortion Control Act. Among its provisions is the clear intention that “No Commonwealth and no Federal funds which are appropriated by the Commonwealth shall be expended by any State or local government agency for the performance of abortion except” to avert the death of the mother or if the pregnancy is caused by rape or incest. 18 Pa. C.S.A. §3215(c).

SUMMARY OF ARGUMENT

This is not a case in which the intent of a legislative provision is obscure or undiscernible. Quite to the contrary, the intent of 18 Pa. C.S.A. §3215(c),²

²Public funds--No Commonwealth funds and no Federal funds which are appropriated by the Commonwealth shall be expended by any State or local government agency for the performance of abortion, except:

- (1) When abortion is necessary to avert the death of the mother on certification by a physician. When such physician will perform the abortion or has a pecuniary or proprietary interest in the abortion there shall be a separate certification from a physician who has no such interest.
- (2) When abortion is performed in the case of pregnancy caused by rape which, prior to the performance of the abortion, has been reported, together with the identity of the offender, if known, to a law enforcement agency having the requisite jurisdiction and has been personally reported by the victim.
- (3) When abortion is performed in the case of pregnancy caused by incest which, prior to the performance of the abortion, has been personally reported by the victim to a law enforcement agency having the requisite jurisdiction, or, in the case of a minor, to the county child protective service agency and the other party to the incestuous act has been named in such report.

prohibiting the use of public funds for abortion, is unequivocal, abundantly clear and the statute has already been upheld by this Court. *Fisher v Dep't of Public Welfare*, 502 A.2d 114 (Pa. 1985.) Furthermore, it reflects the will of the citizens of the Commonwealth, as their elected Members in the House of Representatives have passed this and numerous other life-affirming legislative initiatives. In the aggregate, these embody the public policy of the Commonwealth, one of the considerations of determining the constitutionality of a state statute.³

The House of Representatives is uniquely situated to formulate and express a public policy promoting hope through life-affirming alternatives to abortion and the protection of unborn innocent human life.⁴ This policy of favoring childbirth over abortion has been reinforced by the House of Representatives in multiple votes over the course of the past thirty-six years. With each vote, the same public policy message is expressed loudly and clearly.

The urging by special interest groups that long-standing statutory law should be changed here belies the nature of representative democracy, the legislative

³ *Commonwealth v Edmunds*, 586 A.2d 887 (Pa. 1991)

⁴ It is the intention of the General Assembly of the Commonwealth of Pennsylvania to protect hereby the life and health of the woman subject to abortion and to protect the life and health of the child subject to abortion. 18 Pa. C.S.A. § 3202

process enshrined in Pennsylvania’s Constitution, and ample case precedent thoughtfully upholding these provisions.

For these reasons, the order of the Commonwealth Court should be affirmed.

ARGUMENT

In 1985, this Court held in *Fisher v Dep’t of Public Welfare*, 502 A.2d 114 (Pa. 1985) that the Commonwealth’s policy favoring childbirth over abortion and limiting public funding of abortions was squarely within the bounds of the legislature’s authority under the United States Constitution, Pennsylvania Constitution, and applicable case precedents.

Much has changed since 1985 when gas could be purchased for a little over a \$1.00 per gallon, a Nintendo entertainment system was initially unveiled in North America⁵ and the first Starbucks coffeehouse marked one year of operation.⁶ Notwithstanding how many things have changed since 1985, the Pennsylvania

⁵ <https://www.thepeoplehistory.com/1985.html> last accessed 10/12/21

⁶ <https://stories.starbucks.com/uploads/2019/01/AboutUs-Company-Timeline-1.6.21-FINAL.pdf> last accessed_10/12/21

House of Representatives has steadfastly enacted policies favoring childbirth rather than abortion and has, in fact, consistently strengthened its commitment to life-affirming alternatives over the years.

I. Legislature's Authority to Appropriate

Amici maintain that the Commonwealth Court properly applied the precedent set forth by this Court in *Fisher v Dep't of Public Welfare*, 502 A.2d 114 (Pa. 1985); and by the United States Supreme Court in *Maher v Roe* 432 U.S. 464 (1977); and *Harris v McRae*, 448 U.S. 297 (1980). It has long been Pennsylvania's policy, as set forth in Pennsylvania's Abortion Control Act,⁷ only to fund abortions through Medical Assistance if the procedure is necessary to avert the mother's death, or if the pregnancy is a result of rape or incest. 18 Pa. C.S.A. § 3215(c). Policy considerations such as these are not only within the purview of the legislative branch, but also one of the pivotal factors set forth in *Commonwealth v Edmunds*, 586 A.2d 887 (Pa. 1991).

In fact, in the process of passing the Abortion Control Act of 1989,⁸ the House of Representatives was presented with an amendment which would have lifted restrictions on the public funding of abortions, the very essence of the relief

⁷ 18 Pa. C.S.A. §§ 3201-3220

⁸ *Id.*

appellants now seek judicially. This proposal was soundly and unequivocally defeated by a vote of 41 to 158.⁹

Consistent with both the letter and the spirit of the Pennsylvania Constitution, the House and Senate legislate policy and appropriate public funds in order to effectuate those goals.¹⁰ These appropriations reflect the policies chosen by the majority of members of the General Assembly as they speak for their constituents from across the Commonwealth.¹¹ For example, when a Politico/Harvard survey polled a group of likely voters who were asked if they favored federal (public) funding of abortion in 2016, only 36% answered affirmatively.¹²

Since the provisions at issue here were properly enacted in accordance with the Pennsylvania Constitution, have been upheld by this Court, and are similar to ones upheld by the United States Supreme Court, the appellants have a heavy

⁹ PA House Journal October 24, 1989, pages 1819-1821.

¹⁰ Article II, §1 “The legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives.” Article III, §24: “No money shall be paid out of the treasury, except on appropriations made by law...”

¹¹ According to a January 2021 Marist poll, almost **six out of ten Americans oppose the use of taxpayer dollars to fund abortion**, <https://www.kofc.org/en/resources/news-room/polls/kofc-americans-opinions-on-abortion012021.pdf> at page 4, last accessed November 29, 2021

¹² <https://www.politico.com/f/?id=00000158-039b-d881-adda-77db04b70000> at page 18, last accessed November 29, 2021.

burden to prove that those provisions now violate the Constitution. *Shapp v Sloan*, 391 A.2d 595 (Pa. 1978).

The inputs to this constitutional equation remain the same as they were in 1985; appellants nonetheless seek a completely different output. Arguably, the most significant modification one could say has been made to this issue is the greater commitment the Pennsylvania House of Representative has exhibited through its legislative initiatives since 1985. House voting records clearly demonstrate an even deeper resolve to favor childbirth and other life-affirming alternatives over abortion.

Appellants *may* be correct in their observation that developments since 1985 have altered this equation. That is, the Pennsylvania legislature has more fulsomely manifested its desired policies of favoring childbirth over abortion, promoting life-affirming alternatives, and showing reverence for innocent unborn life. If the scales have tipped at all, they have done so in clear opposition to appellants' claim for relief.

II. Funding Hope in Life-affirming Alternatives to Abortion

Speaking for the People of the Commonwealth, the Pennsylvania House of Representatives has exercised its legislative and fiscal constitutional prerogative to fund programs offering long-term solutions to women before and after childbirth

rather than funding abortions, thought by some to be their *only* option. As former Governor Casey observed:

Other ages had abortion, but our age lives with something more on its conscience. We've made not only a right of abortion, but a lucrative industry. And what decent society can live peacefully with that?¹³

Instead of funding this lucrative industry, the House of Representatives appropriates funds to Pennsylvania's Pregnancy and Parenting Support Services. By contracting with Real Alternatives, a non-profit, 501(c)(3) organization, the Department of Human Services administers these life-affirming programs, which former Governor Casey described as fighting "the poison of hopelessness with love."¹⁴

What began as a \$2,000,000 program in 1986,¹⁵ and is currently funded at \$7,263,000,¹⁶ Real Alternatives providers receive reimbursement for client services such as childcare, counseling, nutrition, and parenting skills. Clients' material needs are also addressed through the provision of baby supplies, food, diapers,

¹³ GOVERNOR ROBERT P. CASEY, *FIGHTING FOR LIFE* 241 (1996).

¹⁴ <https://www.realalternatives.org/https-wp-content-uploads-2019-06-history-2019-pdfhistory/> (last accessed 10/14/21)

¹⁵ SB 1113, 170th Leg., Reg. Sess. (Pa. 1986) The House of Representatives amended an Administrative Code bill to include a \$2,000,000 appropriation for services to be provided to those facing unplanned pregnancies. This passed by a vote of 136-60.

¹⁶ Act of June 30, 2021 (No. 1A). \$1,000,000 of which is appropriated from federal TANF funds and utilized only for clients whose income does not exceed 185% of the federal poverty guidelines. <https://www.dhs.pa.gov/Services/Assistance/Pages/TANF.aspx>

clothing, and equipment.¹⁷ These service providers are found in eighty locations throughout Pennsylvania and have assisted over 320,000 women. Of these women, the largest plurality, 35%, have less than a high school education. After receiving these mentoring, education, and other services, 85% of those served who reported they previously felt pressured to end their pregnancies ultimately chose life-affirming options instead. See Exhibit A.

Each of the individuals served by Real Alternatives seems to be representative of those former Governor Casey described he “felt privileged to represent in office” who “had passed through her own wall of fire, finding life on the other side.” He further observed:

In each case, the modern world stood ready with a wide range of available excuses, rationalizations, and routes of escape-- All promising a higher ‘quality of life.’ But they didn’t follow. Through all the shouting and marching and accusations, they heard another voice. **So long as there are such women, there is hope for each of us...**¹⁸

III. The Pennsylvania House of Representatives Consistently Demonstrates Its Reverence for Innocent Human Life and Preference for Life-Affirming Alternatives

¹⁷ Real Alternatives was recently recognized as a GuideStar Gold Transparency Award recipient. <https://www.guidestar.org/profile/23-2868660> (last accessed 11/29/21).

¹⁸ GOVERNOR ROBERT P. CASEY, FIGHTING FOR LIFE 153 (1996) (emphasis added.)

As this Court correctly observed in *Fisher*, “states do have an interest in the potential life which may be destroyed; and that the states’ interest can justify certain restrictions on the performance of abortions.” 502 A.2d at 118 (citations omitted.) The Pennsylvania House of Representatives has unfailingly voted to encourage childbirth over abortion and promoted other life-affirming measures in legislation throughout the decades which have succeeded *Fisher*.

A. Regulation of Abortion

In regulating abortion procedures in the Commonwealth, the House of Representatives has steadfastly demonstrated its interest in both potential life and the protection of women. In pursuit of these legislative priorities, portions of the Abortion Control Act¹⁹ have been modified several times since *Fisher* to reflect both the prerogative of the Members of the House of Representatives speaking for their constituents and rulings of the U.S. Supreme Court.

In response to the guidance set forth in *Thornburgh v American College of Obstetricians*, 476 U.S. 747 (1986), the Pennsylvania House of Representatives adopted Amendment A4295 to HB 1130. On November 24, 1987, the House overwhelmingly adopted this amendment 140-59. Among other things, an exception was added to the informed consent provision for situations in which a delay would cause “substantial and irreversible impairment of a major bodily

¹⁹ 18 Pa. C.S.A § 3201 et. seq.

function,” reforms were made to reporting requirements to ensure the anonymity of women, and viability language was clarified. In the course of the debate on this, it was aptly observed that, “Death is always in our midst; it comes unbidden. But it takes effort to sustain life.”²⁰

It took even more effort for the House of Representatives to sustain unborn life in this instance, inasmuch as HB 1130 was vetoed by Governor Casey. A few months later, HB 668 was amended to address Governor Casey’s veto and became Act 31 of 1988.²¹

In the next legislative session, the House of Representatives overwhelmingly (143-58) adopted the 1989 Abortion Control Law.²² This was later challenged and largely upheld in *Planned Parenthood of Southeastern Pennsylvania v Casey*, 505 U.S. 833 (1992).²³ In upholding this law, the Court noted:

Numerous forms of state regulation might have the incidental effect of increasing the cost or decreasing the availability of medical care, whether for abortion or any other medical procedure. **The fact that a law which serves a valid purpose, one not designed to strike at the right itself, has the incidental effect of making it more difficult or more expensive to procure an abortion cannot be enough to invalidate it.**

²⁰ PA House Journal November 24, 1987, page 1930 (Remarks of Representative Foster).

²¹ HB 668 was amended in the Senate and the amended version was overwhelmingly adopted in the House on March 16, 1988. *See* PA House Journal March 16, 1988, page 376.

²² Act of November 17, 1989 (P.L. 592, No. 64).

²³ Only the spousal notification provision was found to impose an undue burden on a woman and was struck down.

Id. at 874, (emphasis added.)

To improve the safety of abortions for women, the House of Representatives amended the Medical Care Availability and Reduction of Error (MCARE) Act on January 31, 2006.²⁴ Unfortunately, the industry soon proved to be in dire need of further oversight.

The entire nation became acutely aware of the abhorrent inadequacies in the administrative oversight of abortion facilities with the release of the Grand Jury report of Philadelphia County which investigated Kermit B. Gosnell.²⁵ The report itself best describes what the Grand Jury found.

This case is about a doctor who killed babies and endangered women. What we mean is that he regularly and illegally delivered live, viable, babies in the third trimester of pregnancy – and then murdered these newborns by severing their spinal cords with scissors. The medical practice by which he carried out this business was a filthy fraud in which he overdosed his patients with dangerous drugs, spread venereal disease among them with infected instruments, perforated their wombs and bowels – and, on at least two occasions, caused their deaths. Over the years, many people came to know that something was going on here. But no one put a stop to it.²⁶

²⁴ Act of May 1, 2006 (P.L. 103, No. 30).

²⁵ In re County Investigating Grand Jury XXIII, 2011 WL 711902 (Pa.Comm.Pl.), <https://cdn.cnsnews.com/documents/Gosnell,%20Grand%20Jury%20Report.pdf>.

²⁶ *Id.*

Among its recommendations, the Grand Jury specifically prescribed having abortion clinics be regulated as ambulatory surgical centers.²⁷ It took little time for the Pennsylvania House to respond to this adjuration.

The House of Representatives decisively adopted House Bill 574 on May 11, 2011, within a few months following the release of the Gosnell report.²⁸ Several months later, the House amended a Senate Bill containing provisions similar to those in House Bill 574 requiring abortion clinics to be regulated as ambulatory surgical facilities with enhanced safety standards for women, including mandating at least one annual inspection.²⁹ This was signed into law and became Act 122 of 2011.³⁰

Current law in Pennsylvania permits abortions up to 24 weeks of the unborn child's gestational age.³¹ Increasingly, states are lowering this limit as science has steadily fulfilled Justice O'Connor's prescient observation in *City of Akron v Akron Center for Reproductive Health, Inc.*,³² that the strict trimester approach

²⁷ *Id.* at page 16.

²⁸ PA House Journal May 11, 2011, page 964.

²⁹ Amendment AO7472 to SB 732 adopted 149-44, PA House Journal December 13, 2011, page 2500.

³⁰ Act of December 22, 2011 (P.L. 563, No. 122).

³¹ 18 Pa. C.S.A. § 3211.

³² 462 U.S. 416 (1983), decision reversed by *Planned Parenthood of Southeastern Pennsylvania v Casey*, 505 U.S. 833 (1992).

enumerated in *Roe v Wade*,³³ would be on a “collision course with itself.”³⁴ In keeping with the direction set forth in *Akron* to “continuously and conscientiously study contemporary medical and scientific literature in order to determine whether the effect of a particular regulation is to ‘depart from accepted medical practice’ insofar as particular procedures and particular periods with the trimester are concerned,”³⁵ the Pennsylvania House of Representative has voted on more than one occasion to lower the gestational limit from its current limit of twenty-four weeks, which it has been since 1989, to twenty weeks.³⁶ Notably, eighteen other states have gestational limits earlier than the Commonwealth’s.³⁷

B. Reverence for the Unborn

Prior to the adoption of the Crimes Against the Unborn Child Act in 1997, 18 Pa. C.S.A. § 2601, an individual could intentionally kill an unborn child without any criminal culpability for the unborn child’s life. In considering the adoption of an amendment to add this to the Crimes Code³⁸, the prime sponsor, Rep. O’Brien observed:

³³ *Roe v Wade*, 410 U.S. 113 (1973).

³⁴ 462 U.S. at 458 (O’Connor dissenting, joined by White and Rehnquist).

³⁵ *Id.* at 456.

³⁶ HB 1948, 200th Leg., Reg. Sess. (Pa. 2016), SB 3, 201st Leg., Reg. Sess. (Pa. 2017), Veto No.3.

³⁷ <https://www.statista.com/chart/25908/state-by-state-abortion-laws-in-the-us/> (last accessed 11/29/21).

³⁸ Amendment A1596 to Act of October 2nd, 1997 (P.L. 379, No. 44).

Cruelty to animals is a crime, Mr. Speaker; however, the vicious, savage, coldblooded murder of a little unborn child over the mother's objections is not a crime in Pennsylvania. Where are our priorities? It is a crime to kill your own dog, but it is not a crime to kill someone else's unborn child. Today we have an opportunity to correct this wrong.³⁹

By decisively adopting this provision, the House of Representatives **did** right this wrong going forward and furthered its interest in protecting potential human life.

In addition to offering protection for unborn life, the House of Representatives has made strides to ensure that the parents of an unborn child who dies in utero are able to dispose of their child's remains in the manner they choose. Legislation containing the Final Disposition of Fetal Remains Act was adopted by the House of Representatives in two consecutive sessions.⁴⁰

C. Down Syndrome Protection

Concerned by the astoundingly high rate of abortion following a diagnosis of Down Syndrome,⁴¹ the Pennsylvania House has made efforts to ensure that the Department of Health provides educational and supportive information when an expectant or new parent receives results that his or her child tests positive for

³⁹ PA House Journal April 29, 1997, page 881.

⁴⁰ HB 1890, 203rd Leg., Reg. Sess. (Pa. 2019). HB 118, 205th Leg., Reg. Sess. (Pa. 2021).

⁴¹ <https://www.healthline.com/health-news/the-debate-over-terminating-down-syndrome-pregnancies> (Last accessed 11/10/2021).

Down Syndrome by passing the Down Syndrome Prenatal and Postnatal Education Act.⁴²

The Abortion Control Act of 1989 specifically prohibits the performance of an abortion solely for the reason of the sex of the unborn child.⁴³ Similarly, the Pennsylvania House of Representatives has sought to protect unborn children diagnosed with Down Syndrome by prohibiting abortions sought because of this diagnosis.⁴⁴ Most recently, the House passed the Down Syndrome Protection Act, HB 1500, P.N. 1563, which is currently before the Senate. In urging its passage, Rep. Kathy Rapp noted:

When an entire group of people is targeted for elimination solely because of an immutable characteristic, such as race or disability, that is considered genocide. People with Down Syndrome are facing genocide through abortion...That genocide must stop. Our society is great enough to welcome all persons, regardless of disability...This population deserves better. **They deserve the General Assembly saying they can live.**⁴⁵

⁴² Act of July 18, 2014 (P.L. 2450, No. 130).

⁴³ This provision was challenged but upheld in *Planned Parenthood of Southeastern Pennsylvania v Casey*, 505 U.S. 833 (1992).

⁴⁴ HB 2050, 202nd Leg., Reg. Sess. (Pa. 2018), HB 321, 203rd Leg., Reg. Sess. (Pa. 2019), Veto No. 4.

⁴⁵ PA House Journal June 8, 2021, page 815.

CONCLUSION

Time and again, when presented with a choice, the Pennsylvania House of Representatives has chosen to promote life. Those constitutionally-sound choices are as worthy of respect today as they were in 1985. For the foregoing reasons, this Court should affirm the judgment of the Commonwealth Court.

Respectfully Submitted,

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Attorneys for Amici Curiae,

Dated: December 10, 2021

COMBINED CERTIFICATIONS
OF COUNSEL

1. I certify that the foregoing brief complies with the word count limits of Pa.R.A.P. 531(b)(3). Based on the word count feature of the word processing system used to prepare this brief, this document contains 5110 words, exclusive of the cover page, tables and the signature block.

2. I certify that this filing complies with the provisions of the *Case Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

3. I hereby certify that on December 10, 2021, I caused a true and correct copy of the foregoing Brief for Amici Curiae, to be served via electronic filing upon all counsel of record.

/s/ Charlene A. Bashore
Charlene A. Bashore, Esq. (49960)
Office of Chief Counsel,
Republican Caucus
Pennsylvania House of Representatives

Dated: December 10, 2021

EXHIBIT A



CELEBRATING

25

YEARS

 **Real Alternatives**SM
*Empowering Women for Life*TM
FREE PREGNANCY SUPPORT SERVICES

EMPOWERING WOMEN FOR LIFE SINCE 1996

Just over 25 years ago, the pro-life movement in Pennsylvania—with their pro-life governor and legislature—charted a new course for the country by creating the first government-funded pro-life social services program providing women alternatives to abortion. The program is now known as the Pennsylvania Pregnancy and Parenting Support Services Program.

Through this initiative, the Commonwealth appropriates funds for the program to the Pennsylvania Department of Human Services (DHS). For the last 25 years, DHS has hired Real Alternatives, a private, non-profit, charitable organization, to serve women across the Commonwealth of Pennsylvania.

Since its inception, the program has pursued and achieved measurable outcomes, including:

- ✓ Women increasingly choose childbirth rather than abortion
- ✓ Increased physical and emotional support provided to women
- ✓ Increased knowledge of adoption
- ✓ Improved parenting outcomes
- ✓ Improved reproductive health due to STD education and modification of risky lifestyle behavior through abstinence education
- ✓ Lower health and Medicaid costs due to high prenatal care rates, pediatric care rates, and immunization rates

- more than -
320,000
women served
since 1996



 **Real Alternatives**
Empowering Women for Life™
FREE PREGNANCY SUPPORT SERVICES

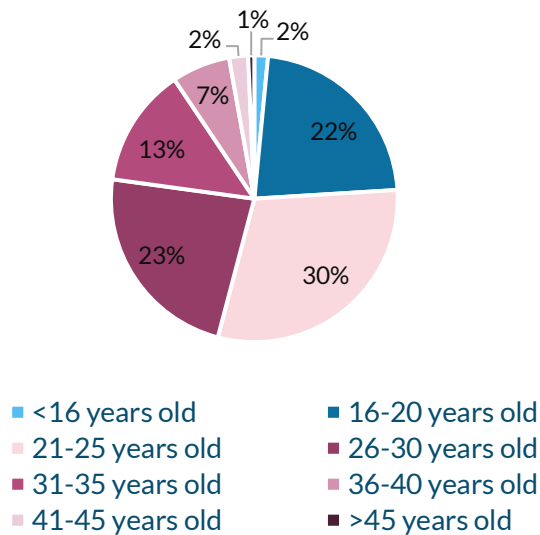
The Women We Are Serving

At no cost to the women served, the state of Pennsylvania is ensuring a caring, knowledgeable support system to Pennsylvanian women during one of their greatest times of need: an unexpected pregnancy.

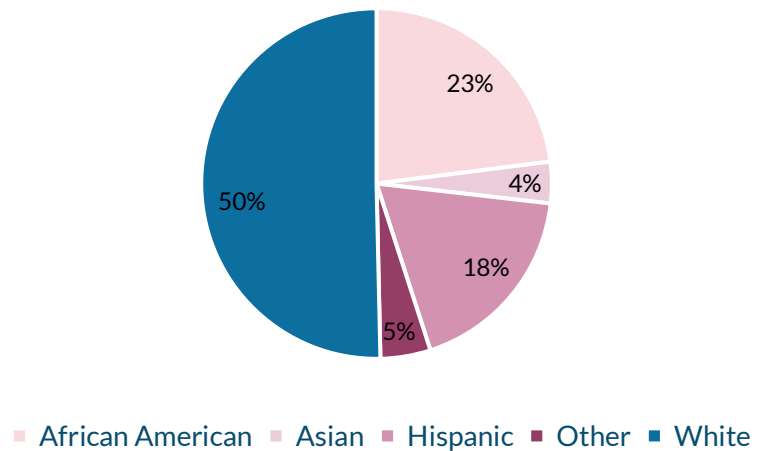
Since the program was signed into law by then-Governor Robert P. Casey (D) in 1995, the program has served more than **320,000 Pennsylvanian women** with counseling, education classes, material support, and so much more.

Here is a simple snapshot of the women we've served over the last 25 years:

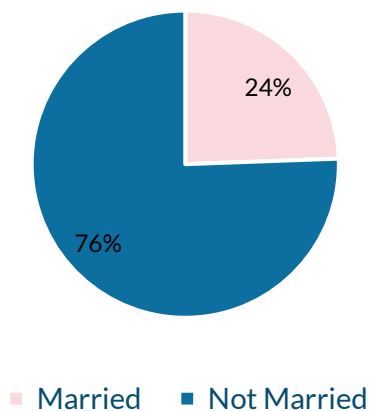
Age of Women Served



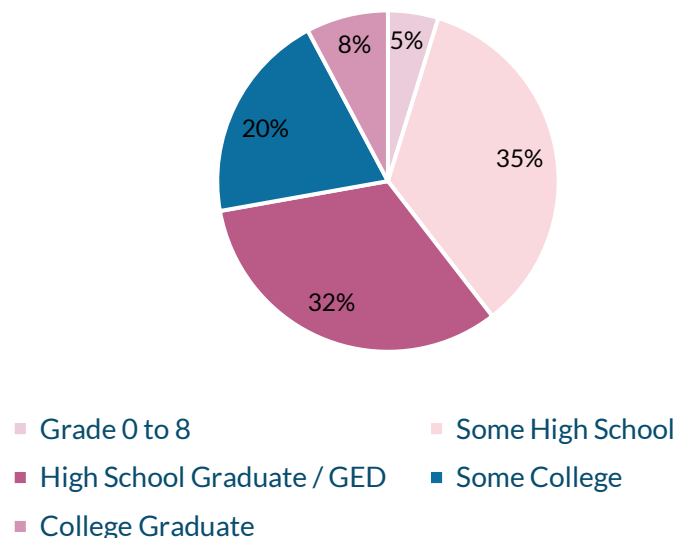
Race of Women Served



Marital Status of Women Served



Education Level of Women Served



The Babies We Are Serving

The goal of Real Alternatives is to save lives by supporting moms with resources, counseling, material help, and referrals. These services are available to a woman throughout her pregnancy, after she has given birth, and throughout the first year of her child's life.

Since 1995, Pennsylvania abortions have fallen a stunning 22 percent, no doubt because of pro-life initiatives like Pennsylvania's Pregnancy & Parenting Support Services Program, administered by Real Alternatives.



Real lives saved, thanks to Real Alternatives

Our data shows the significant role Real Alternatives has played in helping Pennsylvania mothers choose life for their babies. Eighty-five percent of clients who were pressured to have an abortion chose life after receiving support from one of our program counselors.

Sixty percent of women who were abortion-minded chose life after receiving program services, and just over half of women who were abortion-minded *and* pressured by others to abort, chose life thanks to Real Alternatives.

Across a quarter of a century, Real Alternatives has made an impact on *real moms*—and saved *real lives*.

But the life-saving effects of this program go well beyond the parameters of an abortion decision. Because of Real Alternatives, thousands of Pennsylvania women have received proper prenatal care, diminishing the risk of infant mortality for their children.

Prenatal care plays a critical role in improving birth weights and preventing infant deaths. In FY 2019-2020, 13,313 Real Alternatives clients received proper prenatal care.

In the last four years alone, Pennsylvania's infant mortality rate decreased 12 percent from 6.9 to 6.1 deaths per 1,000 live births.

Where We Are Serving

Over the last 25 years, Real Alternatives has served Pennsylvania women in every county.

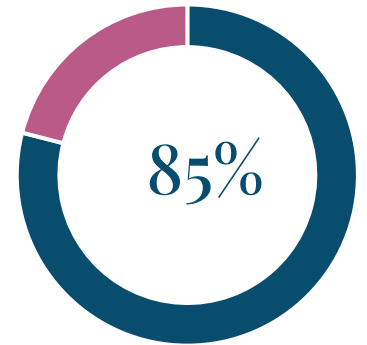
COUNTY	TOTAL	COUNTY	TOTAL	COUNTY	TOTAL
Adams	2,364	Elk	2,896	Montour	118
Allegheny	42,644	Erie	38,864	Northampton	1,774
Armstrong	1,521	Fayette	3,488	Northumberland	521
Beaver	5,109	Forest	40	Perry	719
Bedford	10	Franklin	282	Philadelphia	45,413
Berks	20,416	Fulton	8	Pike	220
Blair	137	Greene	2,110	Potter	523
Bradford	176	Huntingdon	12	Schuylkill	1,443
Bucks	5,466	Indiana	220	Snyder	12
Butler	6,429	Jefferson	1,843	Somerset	27
Cambria	253	Juniata	68	Sullivan	10
Cameron	414	Lackawanna	11,170	Susquehanna	202
Carbon	458	Lancaster	8,676	Tioga	60
Centre	896	Lawrence	8,692	Union	9
Chester	911	Lebanon	404	Venango	845
Clarion	1,318	Lehigh	5,138	Warren	251
Clearfield	6,152	Luzerne	11,997	Washington	12,273
Clinton	114	Lycoming	53	Wayne	507
Columbia	60	McKean	3,046	Westmoreland	4,883
Crawford	894	Mercer	7,031	Wyoming	207
Cumberland	3,071	Mifflin	27	York	10,989
Dauphin	21,418	Monroe	365		
Delaware	7,566	Montgomery	4,031	Grand Totals:	319,164



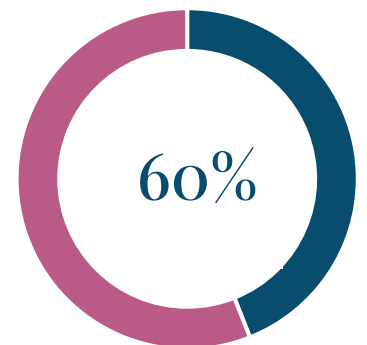
How We Are Serving

From postpartum depression to breastfeeding issues to emotional, physical, or sexual abuse, a variety of concerns can place added pressure on mothers across our state. Over the last 25 years, hundreds of thousands of Pennsylvanian women have addressed these challenges by taking advantage of the following services and referrals through Real Alternatives:

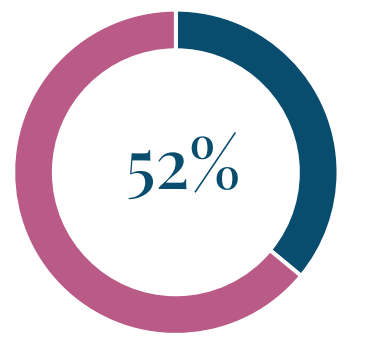
Service/Referral	Total	Percent of Clients
✓ Abortion Risks & Info	42,558	0.42%
✓ Abstinence/Chastity	168,439	1.67%
✓ Abuse (Emotional)	42,733	0.42%
✓ Abuse (Physical)	30,454	0.30%
✓ Abuse (Sexual)	13,447	0.13%
✓ Adoption Education	51,741	0.51%
✓ Anger Management	59,588	0.59%
✓ Breastfeeding	171,838	1.70%
✓ Chastity Class	5,658	0.06%
✓ Child Care	515,059	5.09%
✓ Childbirth Class	83,327	0.82%
✓ Childbirth Issues	217,867	2.15%
✓ Decision Making	550,694	5.44%
✓ Depression	40,849	0.40%
✓ Drug/Alcohol	36,899	0.36%
✓ Education	350,999	3.47%
✓ Family Support Class	31,644	0.31%
✓ Fetal Development	295,560	2.92%
✓ Financial/Job	655,542	6.48%
✓ Housing	424,858	4.20%
✓ In-House Clothing	348,946	3.45%
✓ In-House Food	216,993	2.15%
✓ In-House Furniture	172,595	1.71%
✓ Initial Intake	188,326	1.86%
✓ Legal	105,238	1.04%
✓ Life Skills	498,548	4.93%
✓ Medical/Health	656,486	6.49%
✓ Mental Health	48,210	0.48%
✓ Nutrition	458,217	4.53%
✓ Other	657,326	6.50%
✓ Pantry Needs	314,009	3.10%
✓ Parenting Class	307,039	3.04%
✓ Parenting Skills	691,295	6.83%
✓ Post-Delivery Stress	62,541	0.62%
✓ Pregnancy Class	142,602	1.41%
✓ Pregnancy Counseling & Info	337,739	3.34%
✓ Pregnancy Test Kit	88,092	0.87%
✓ Relationship	582,454	5.76%
✓ STD Risks & Information	133,696	1.32%
✓ Stress Management	315,229	3.12%
Total Services & Referrals Provided	10,115,335	100.00%



of women who were pressured by others to abort chose life after program services



of women who were abortion-minded chose life after program services



of women who were abortion-minded *and* pressured by others to abort chose life after program services

How We Are Educating & Supporting

Education and material support are vital ways in which Real Alternatives empowers moms. A few of the tools we use to do this are 1.) our state-of-the-art “Pregnancy Support” app; 2.) our Ready-or-Not Tots®; and 3.) our newborn baby layettes.



The “Pregnancy Support” App

The “Pregnancy Support” app contains fully interactive 3D imaging of all stages of fetal development as well as tools like a contraction counter, weight tracker and a kick counter. The app offers clients both daily and weekly information for mothers and their developing babies and is personalized for gestational age and baby gender.

The “Parenting Support” app allows clients to maintain personalized daily logs of baby events while they receive daily tips and monthly development milestones. Clients may track feeding, pumping, sleeping and changing diapers with charts that help to show patterns and trends. A milestone section also allows parents to capture their little one’s biggest moments!

Ready-or-Not Tots®

The Ready-or-Not Tot® is an educational tool that gives moms an understanding of what motherhood will look like with a new baby. The manikin, a newborn-sized doll, coos, cries, and burps in response to the care provided by the new mom. The Tots teach moms both the challenges and joys of learning to care for a little one throughout the day and night. They provide a realistic parenting experience which will set them up for success when their precious babies arrive!

Right: Counselor with Real Alternatives-purchased Ready-or-Not Tots®



Our Newborn Layettes

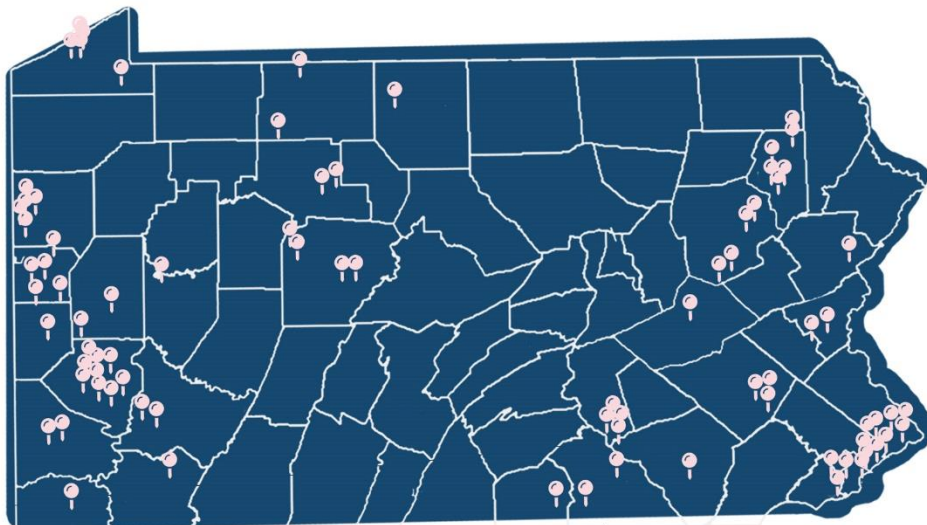
Real Alternatives offers a complete, fun, cake-shaped newborn baby layette set for existing clients who just delivered their babies! Each layette set includes a receiving blanket, socks, hooded towel, sleep gown, onesie, hat, bib, washcloth and six diapers. Counselors may choose a pink, blue, or neutral color layette set for each client who just delivered her baby.

Left: Pink baby layette provided by Real Alternatives



29 Real Alternatives Providers at 80 Locations throughout Pennsylvania

Provider	County	Provider	County
Blessed Margaret of Castello	Bucks	Genesis of Pittsburgh, Inc	Allegheny
Catholic Charities, Erie	McKean	A Woman's Concern, Inc.	Lancaster
Catholic Charities, Erie	Clearfield	Lifeline of Berks County, Inc.	Berks
Catholic Charities, Erie	Clearfield	Young People Who Care, Inc.	Clearfield
Catholic Charities, Erie	Erie	Lifeline of SWPA	Butler
Catholic Charities, Erie	Elk	Lifeline of SWPA	Allegheny
Catholic Charities, Erie	Mercer	Mary's Shelter	Berks
Catholic Charities, Erie	Mercer	Morning Star Pregnancy Services	Cumberland
Catholic Charities, Erie	Mercer	Morning Star Pregnancy Services	Dauphin
Catholic Charities, Greensburg	Westmoreland	Morning Star Pregnancy Services	Dauphin
Catholic Charities, Harrisburg	Dauphin	Mothers' Home	Delaware
Catholic Charities, Pittsburgh	Beaver	Pennsylvanians for Human Life	Allegheny
Catholic Charities, Pittsburgh	Butler	Women's Care Center	York
Catholic Charities, Pittsburgh	Greene	St. Joseph's Center	Lackawanna
Catholic Charities, Pittsburgh	Washington	St. Joseph's Center	Lackawanna
Catholic Charities, Pittsburgh	Allegheny	St. Joseph's Center	Lackawanna
Catholic Charities, Allentown	Berks	St. Joseph's Center	Lackawanna
Catholic Charities, Allentown	Lehigh	The Guidance Center, Project Rapport	Clearfield
Catholic Charities, Allentown	Schuylkill	The Guidance Center, Project Rapport	McKean
Catholic Social Services, Philadelphia	Philadelphia	The Guidance Center, Project Rapport	Elk
Catholic Social Services, Philadelphia	Bucks	Volunteers of America of Pennsylvania	Luzerne
Catholic Social Services, Philadelphia	Philadelphia	Women's Care Center	Erie
Catholic Social Services, Philadelphia	Philadelphia	Women's Care Center	Erie
Catholic Social Services, Philadelphia	Delaware	Women's Care Center	Erie
Catholic Social Services, Philadelphia	Philadelphia	Women's Care Center	Erie
Catholic Social Services, Philadelphia	Philadelphia	Women's Care Center	Erie
Catholic Social Services, Philadelphia	Bucks	People In Need, Inc.	Lawrence
Catholic Social Services, Philadelphia	Philadelphia	People In Need, Inc.	Lawrence
Catholic Social Services, Philadelphia	Philadelphia	People In Need, Inc.	Mercer
Catholic Social Services, Philadelphia	Philadelphia	People In Need, Inc.	Clarion
Catholic Social Services, Scranton	Luzerne	People In Need, Inc.	Mercer
Catholic Social Services, Scranton	Lackawanna	People In Need, Inc.	Lawrence
Catholic Social Services, Scranton	Luzerne	People In Need, Inc.	Lawrence
Catholic Social Services, Scranton	Lackawanna	Alternatives.Yes Pregnancy Support Center	Fayette
Catholic Social Services, Scranton	Monroe	Tender Care Pregnancy Consultation Services	York
Catholic Social Services, Scranton	Luzerne	Tender Care Pregnancy Consultation Services	Adams
Genesis of Pittsburgh, Inc.	Allegheny	TryLife Center	Westmoreland
Genesis of Pittsburgh, Inc.	Allegheny	Maya Organization	Allegheny
Genesis of Pittsburgh, Inc.	Washington	Cradle of Hope Inc	Montgomery
Genesis of Pittsburgh, Inc.	Allegheny	Cradle of Hope Inc	Montgomery
Genesis of Pittsburgh, Inc	Allegheny	Cay Galgon Life House	Northampton



Our Fiscal Responsibility

Real Alternatives operates at **no cost** to the women served.

The program is funded on a fee-for-service basis, meaning that Pennsylvania only pays for services once they are performed. This incentivizes performance; the more services a center provides, the more the location is reimbursed for those services. This is notably different from grant-based funding, which provides funds up front, regardless of the number of women served.

Furthermore, the administrative costs of the program account for 7.89 percent of our budget—an incredibly small amount in the world of TANF-funded programs. Indeed, TANF federal funds cap administrative costs at 15 percent. Real Alternatives is able to keep its administrative costs low, thanks to multiple state contracts that contribute to overhead expenses, lowering shared costs.


Currently funded at

\$7.263 million
per year

Through modern business practices, the program's latest administrative cost is a low

 **7.89%**
in FY 2019-2020

In FY 2019-2020, Real Alternatives served more than

 **18,800**
Pennsylvania women

*13,313 clients received proper prenatal care in FY 2019-2020. "If all U.S. women received adequate prenatal care, the estimated savings would be \$14,755 per low-birth weight birth prevented." [\$22,832 in 2020 dollars] - (CDC - 1999)

**7,886 children served through Real Alternatives have up-to-date vaccines. Up-to-date vaccines cost \$795 per child. "Every dollar spent on immunizations saves \$18.40 in medical and societal costs." [\$25.78 in 2020 dollars] (CDC - 2003)

CDC Estimated Cost Savings to Pennsylvania in FY 2019-2020

 **\$303.9 million**
for clients receiving proper prenatal care

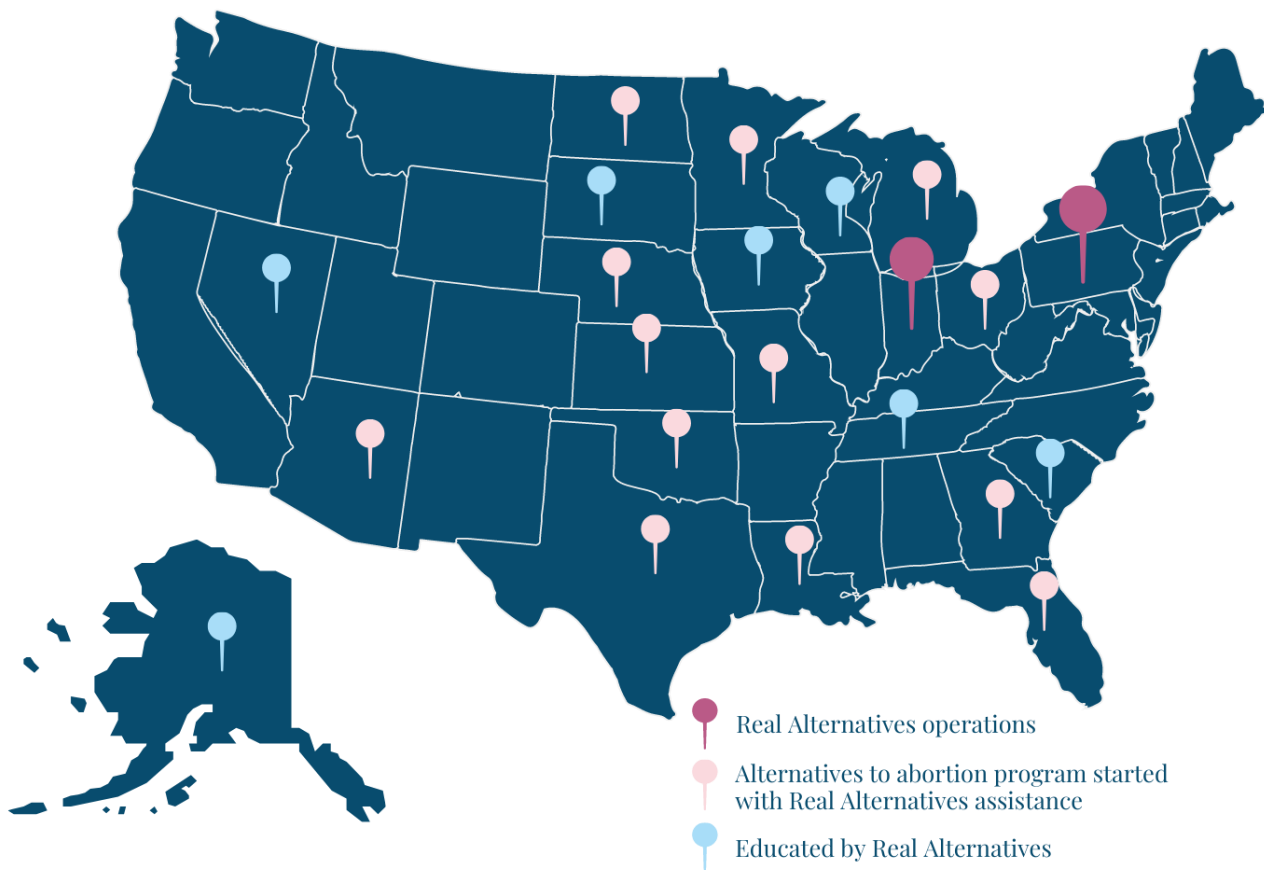
 **\$161 million**
for clients' children receiving up-to-date immunizations

 **Real Alternatives**
Empowering Women for Life™
FREE PREGNANCY SUPPORT SERVICES

Our National Impact

Since 1996, Real Alternatives—with private donations and contributions—has expanded across the country, impacting 21 other states with education and support for the establishment of similar pro-life programs.

- 2006** - State of Texas sought replication of Pennsylvania program. Real Alternatives partnered with Texas Pregnancy Care Network (TPCN) to start the program with TANF funds. TPCN assumed sole administration of the program in 2012.
- 2013** - State of Michigan sought replication of Pennsylvania program. Real Alternatives was selected to administer the state-wide program. Program was funded at \$700,000 per year with TANF federal funds.
- 2014** - State of Indiana sought replication of Pennsylvania program. Real Alternatives was selected to administer the state-wide program. Program is funded at \$2.25 million per year with TANF federal funds. Since 2014, the program has served more than 76,000 Hoosier women with life-saving services.



“We will forever be grateful.”

It was the first day of classes in her sophomore year of college, and all she could think about was that she might be pregnant. One of her friends had told her about Tender Care, a pregnancy help center with locations in Gettysburg and Hanover, Pennsylvania.

On that recommendation, Ruby decided to make an appointment.

Ruby came into the center and was extremely nervous. She had already decided that if she was pregnant, she would just have an abortion, so no one would have to know.

“I was scared the test would be positive,” she said. “The only option I had was abortion.”

During counseling, Ruby explained that her sister had also had an unplanned pregnancy. Now, Ruby was afraid of disappointing her parents again.

“I felt like I was all alone, even though I had my boyfriend’s support,” she said. “I felt no one would understand what I was going through.”

The pregnancy test was positive. Ruby broke down crying.

“When I first found out, I wanted to escape, just run away,” she said.

The client advocate, a Tender Care counselor, discussed all of her options with her.

Her boyfriend, who had accompanied her to that first appointment, shared that his mom was a single mother and he would be there for Ruby, whatever she decided.

“I remember being full of anticipation and feeling scared, thinking about our future and didn’t know if we would be able to do it,” Damien, her boyfriend, said.

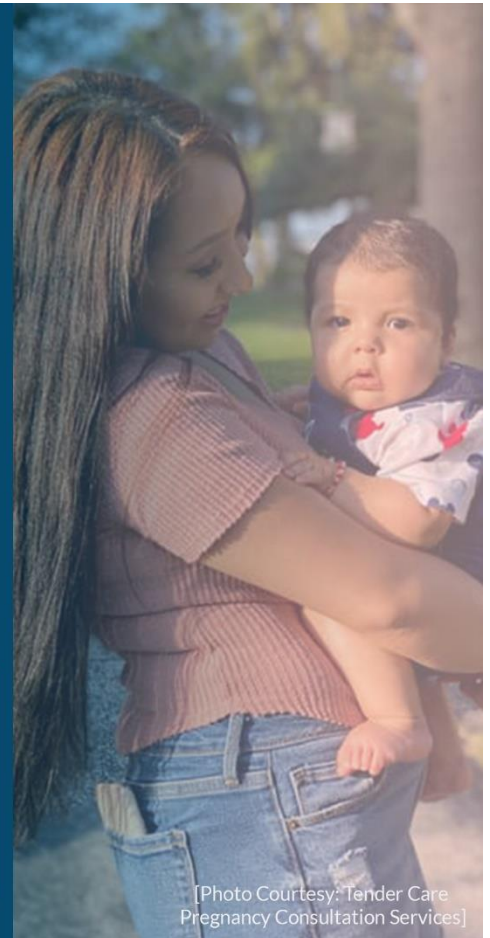
Ruby and Damien spent a lot of time together that day, considering how each option would affect their future. As they reviewed fetal development, Ruby was surprised to learn that her baby had a heartbeat, how developed the baby was and that it had unique DNA.

“If it wasn’t for
Tender Care,
I don’t know what
I would’ve done.

We will forever be
grateful.”

– Ruby

ONE OF MORE THAN
320,000 PENNSYLVANIAN WOMEN
TO BE SERVED THROUGH



[Photo Courtesy: Tender Care
Pregnancy Consultation Services]

They both were interested to learn more about fetal development and were surprised by all of the support they found.

“They were so welcoming and easy to talk with,” Ruby said.

When she and Damien came in for their next visit, they were very excited to share that they had told their families about their pregnancy, and it went very well.

They took parenting classes at the center, which helped them greatly.

“There was so much we didn’t know that we learned in the classes,” Ruby said.

In addition to parenting classes, the couple also found vital support when the Covid-19 pandemic began in 2020. Ruby was quickly approaching her due date as lockdowns began across the U.S. She and Damien had to cancel their baby shower and were left without important supplies, such as baby wipes. At the time, toilet paper was disappearing from shelves in grocery stores nationwide, and some people began to buy up baby wipes as well, leaving many parents without them.

Ruby and Damien were among them.

“I was really scared, and I was almost due and I had no idea how I was going to get baby wipes and thankfully tender care was there to give us some,” Ruby said.

As Ruby and Damien held their son, they reflected on how Tender Care was there for them.

“If it wasn’t for Tender Care, I don’t know what I would’ve done,” Ruby said. “We will forever be grateful.”

Tender Care is one of 29 Real Alternatives providers throughout the state of Pennsylvania, and Ruby is one of more than 320,000 women who have been served by the program since 1996.

Note: This story has been adapted from a story collected from Tender Care.

